or MRBR zonal task ZL–540–02–1 or ZL–540–02–2 (for MRBR since Revision 8) have already been performed before the effective date of this AD, and for which it cannot be substantiated that access panels 540CZ, 540DZ, 640CZ and 640DZ were removed for inspection. This AD does not apply to the airplanes identified in paragraphs (c)(1), (c)(2), and (c)(3) of this AD.

(1) Airplanes on which zonal tasks ZL–540–02–1 and ZL–540–02–2 (or ZL–540–02 and ZL–640–02) have been performed in accordance with airplane maintenance manual (AMM) 05–25–40 at August 2001 revision or later revision.

(2) Airplanes on which one of the following Airworthiness Limitation Items (ALI)/MRBR tasks have been performed: 572004–01–X, 572004–03–X, 572020–01–X, 572020–02–X; 572027–01–X, 572027–03–X; 572053–01–X, 572053–02–X; 572060–02–X; or 572061–02–X; or ZL–540–02–X if panels 540CZ, 540DZ, 640CZ, and 640DZ panels have been removed; where X represents the task applicability index.

FAA AD Differences

Note 2: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, Transport Airplane Directorate, International Branch, ANM–116, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Tim Dulin, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–2241; fax (425) 227–1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

Related Information


Issued in Renton, Washington, on December 10, 2007.

Ali Bahrami,
Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7–24332 Filed 12–14–07; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; ATR Model ATR42 and ATR72 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

[T]he FAA has published a set of new rules related to the fuel tank safety, including the Special Federal Aviation Regulation 88 (SFAR 88).

The JAA (Joint Aviation Authority) has issued an Interim Policy JAA INT/POL 25/12, to recommend the application of a similar requirement to the National Aviation Authorities (NAA) [of Europe].

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The unsafe condition is the potential of ignition sources inside fuel tanks, which, in combination with flammable fuel vapors, could result in fuel tank explosions and consequent loss of the airplane. The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

DATES: We must receive comments on this proposed AD by January 16, 2008.

ADDRESSES: You may send comments by any of the following methods:

Federal eRulemaking Portal: Go to http://www.regulations.gov. Follow the instructions for submitting comments.

Fax: (202) 493–2251.


Hand Delivery: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5
The MCAI states:

condition for the specified products.

receive, without change, to
proposed AD based on those comments.

consider all comments received by the
aspects of this proposed AD. We will
economic, environmental, and energy
comments on the overall regulatory,

Airworthiness Directive 2007
Community, has issued EASA
substantive verbal contact we receive
will also post a report summarizing each
personal information you provide. We

2007

issues an Interim Policy JAA INT/POL 25/12,
related to the fuel tank safety, including the
service history of airplanes subject to
adequacy of existing regulations, the
transport airplanes, including the
tank explosions on several large
may obtain further information by
adjusting the harness as necessary, and,
which include inspecting the electrical
investigative and corrective actions,
modifications consist in the installation of
fuses adapters on wiring entering the fuel
tanks and current limitation devices. For
ATR 72 aircraft, the modification also
requires replacement of the high level
sensors with new sensors having shorter
harness.

The modification also includes related
investigative and corrective actions,
which include inspecting the electrical
harness for correct installation and
adjusting the harness as necessary, and,
for Model ATR42 airplanes, inspecting
the bonding strap for correct installation
and adjusting the bonding strap. You
may obtain further information by
examining the MCAI in the AD docket.
The FAA has examined the
underlying safety issues involved in fuel
tank explosions on several large
transport airplanes, including the
adequacy of existing regulations,
the service history of airplanes subject
to those regulations, and existing
maintenance practices for fuel tank
systems. As a result of those findings,
we issued a regulation titled “Transport
Airplane Fuel Tank System Design
Review, Flammability Reduction and
Maintenance and Inspection
Requirements” (66 FR 23086, May 7,
2001). In addition to new airworthiness
standards for transport airplanes and
new maintenance requirements, this
rule included Special Federal Aviation
Regulation No. 88 (“SFAR 88.”
Amendment 21–78, and subsequent
Amendments 21–82 and 21–83).
Among other actions, SFAR 88
requires certain type design (i.e.,
type certificate (TC) and supplemental type
certificate (STC)) holders to substantiate
that their fuel tank systems can prevent
ignition sources in the fuel tanks. This
requirement applies to type design
holders for large transport powered
transport airplanes and for subsequent
modifications to those airplanes. It
requires them to perform design reviews
and to develop design changes and
maintenance procedures if their designs
do not meet the new fuel tank safety
standards. As explained in the preamble
to the rule, we intended to adopt
airworthiness directives to mandate any
changes found necessary to address
unsafe conditions identified as a result
of these reviews.

In evaluating these design reviews, we
have established four criteria intended
to define the unsafe conditions
associated with fuel tank systems that
require corrective actions. The
percentage of operating time during
which fuel tanks are exposed to
flammable conditions is one of these
criteria. The other three criteria address
the failure types under evaluation:
single failures, single failures in
combination with a latent condition(s),
and in-service failure experience. For all
criteria, the evaluations included
consideration of previous actions taken
that may mitigate the need for further
action.

The Joint Aviation Authorities (JAA)
has issued a regulation that is similar to
SFAR 88. (The JAA is an associated
body of the European Civil Aviation
Conference (ECAC) representing the
civil aviation regulatory authorities of a
number of European States who have
agreed to co-operate in developing
and implementing common safety regulatory
standards and procedures.) Under this
regulation, the JAA stated that all
members of the ECAC that hold type
certificates for transport category
airplanes are required to conduct a
design review against explosion risks.
We have determined that the actions
identified in this AD are necessary to
reduce the potential of ignition sources
inside fuel tanks, which, in combination
with flammable fuel vapors, could result
in fuel tank explosions and consequent
loss of the airplane.

Relevant Service Information

ATR has issued Service Bulletins
ATR42–28–0039, Revision 04, dated
June 12, 2007; and ATR72–28–1019,
Revision 05, dated June 12, 2007. The
actions described in this service
information are intended to correct the
unsafe condition identified in the
MCAI.

FAA’s Determination and Requirements
of This Proposed AD

This product has been approved by the
aviation authority of another
country, and is approved for operation
in the United States. Pursuant to our
bilateral agreement with the State of
Design Authority, we have been notified
of the unsafe condition described in the

p.m., Monday through Friday, except
Federal holidays.

Examining the AD Docket

You may examine the AD docket on
the Internet at http://

www.regulations.gov; or in person at the
Docket Operations office between 9 a.m.
and 5 p.m., Monday through Friday,
except Federal holidays. The AD docket
contains this proposed AD, the
regulatory evaluation, any comments
received, and other information. The
street address for the Docket Operations
office (telephone (800) 647–5527) is in the
ADDRESSES section. Comments will
be available in the AD docket shortly
after receipt.

FOR FURTHER INFORMATION CONTACT: Tom
Rodriguez, Aerospace Engineer,
International Branch, ANM–116,
Transport Airplane Directorate, FAA,
1601 Lind Avenue, SW., Renton,
Washington 98057–3356; telephone

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written
relevant data, views, or arguments about
this proposed AD. Send your comments
to an address listed under the
ADDRESSES section. Include “Docket No.
FAA–2007–0334; Directorate Identifier
2007–NM–206–AD” at the beginning of
your comments. We specifically invite
comments on the overall regulatory,
economic, environmental, and energy
aspects of this proposed AD. We will
consider all comments received by the
closing date and may amend this
proposed AD based on those comments.
We will post all comments we
receive, without change, to http://

www.regulations.gov; including any
personal information you provide. We
will also post a report summarizing each
substantive verbal contact we receive
about this proposed AD.

Discussion

The European Aviation Safety Agency
(EASA), which is the Technical Agent
for the Member States of the European
Community, has issued EASA
Airworthiness Directive 2007–0226,
dated August 24, 2006 (referred to after
this as “the MCAI”), to correct an unsafe
condition for the specified products.

The MCAI states:

[The FAA has published a set of new rules
related to the fuel tank safety, including the
Special Federal Aviation Regulation 88
(SFAR 88).

The JAA (Joint Aviation Authority) has
issued an Interim Policy JAA INT/POL 25/12,
to recommend the application of a similar
requirement to the National Aviation
Authorities (NAA) of Europe].

This recommendation was followed by
French DGAC, which rendered the
compliance to JAA INT/POL 25/12
mandatory for all ATR Aircraft.

Under this regulation, all holders of type
certificates are required to conduct a design
review of their fuel tank systems against
explosion risk. It also requires the
development and implementation of
maintenance and inspection instructions to
maintain the safety of the fuel tank system.
To answer JAA INT/POL 25/12, and in
accordance with SFAR 88 requirements and
guideline, ATC undertook a safety review
on the fuel tank systems and zones adjacent
to the fuel tanks on all ATR models using
relevant safety assessment methods of JAR
35.1309.

As a result of this safety review, ATR
developed for ATR 42 the modification
05355 (SB (service bulletin) ATR42–28–
0039), and for ATR 72 the modification
05356 (SB ATR72–28–1019). Those
modifications consist in the installation of
fuses adapters on wiring entering the fuel
tanks and current limitation devices. For
ATR 72 aircraft, the modification also
requires replacement of the high level
sensors with new sensors having shorter
harness.

The Joint Aviation Authorities (JAA)
has issued a regulation that is similar to
SFAR 88. (The JAA is an associated
body of the European Civil Aviation
Conference (ECAC) representing the
civil aviation regulatory authorities of a
number of European States who have
agreed to co-operate in developing
and implementing common safety regulatory
standards and procedures.) Under this
regulation, the JAA stated that all
members of the ECAC that hold type
certificates for transport category
airplanes are required to conduct a
design review against explosion risks.
We have determined that the actions
identified in this AD are necessary to
reduce the potential of ignition sources
inside fuel tanks, which, in combination
with flammable fuel vapors, could result
in fuel tank explosions and consequent
loss of the airplane.

Relevant Service Information

ATR has issued Service Bulletins
ATR42–28–0039, Revision 04, dated
June 12, 2007; and ATR72–28–1019,
Revision 05, dated June 12, 2007. The
actions described in this service
information are intended to correct the
unsafe condition identified in the
MCAI.

FAA’s Determination and Requirements
of This Proposed AD

This product has been approved by the
aviation authority of another
country, and is approved for operation
in the United States. Pursuant to our
bilateral agreement with the State of
Design Authority, we have been notified
of the unsafe condition described in the
MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 55 products of U.S. registry. We also estimate that it would take about 150 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $80 per work-hour. Required parts would cost about $23,000 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be $1,925,000, or $35,000 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. “Subtitle VII: Aviation Programs,” describes in more detail the scope of the Agency’s authority.

We are issuing this rulemaking under the authority described in “Subtitle VII, Part A, Subpart III, Section 44701: General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new AD:


Comments Due Date

(a) We must receive comments by January 16, 2008.

Affected ADs

(b) None.

Applicability

(c) This AD applies to the airplanes specified in paragraphs (c)(1) and (c)(2) of this AD.

(1) ATR Model ATR42–200, –300, –320, and –500 airplanes, certificated in any category, serial numbers 1 through 642.


Subject

(d) Air Transport Association (ATA) of America Code 28: Fuel.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

[T]he FAA has published a set of new rules related to the fuel tank safety, including the Special Federal Aviation Regulation 88 (SFAR 88).

The JAA (Joint Aviation Authority) has issued an Interim Policy JAA INT/POL 25/12, to recommend the application of a similar requirement to the National Aviation Authorities (NAA) [of Europe].

This recommendation was followed by French DGAC, which rendered the compliance to JAA INT/POL 25/12 mandatory for all ATR Aircraft.

Under this regulation, all holders of type certificates are required to conduct a design review of their fuel tank systems against explosion risk. It also requires the development and implementation of maintenance and inspection instructions to maintain the safety of the fuel tank system.

To answer JAA INT/POL 25/12, and in accordance with SFAR 88 requirements and guidelines, ATR carried out a safety review on the fuel tank systems and zones adjacent to the fuel tanks on all ATR models using relevant safety assessment methods of JAR 35.1309.

As a result of this safety review, ATR developed for ATR 42 the modification 05355 (SB (service bulletin) ATR42–28–0039), and for ATR 72 the modification 05356 (SB ATR72–28–1019). Those modifications consist in the installation of fuses adapters on wiring entering the fuel tanks and current limitation devices. For ATR 72 aircraft, the modification also requires replacement of the high level sensors with new sensors having shorter harness.

The modification also includes related investigative and corrective actions, which include inspecting the electrical harness for correct installation and adjusting the harness as necessary, and, for Model ATR42 airplanes, inspecting the bonding strap for correct installation and adjusting the bonding strap. The unsafe condition is the potential of ignition sources inside fuel tanks, which, in combination with flammable fuel vapors, could result in fuel tank explosions and consequent loss of the airplane.

Actions and Compliance

(f) Within 41 months after the effective date of this AD, unless already done, modify the fuel system and do all applicable related investigative and corrective actions according to the instructions given by the applicable service bulletin listed in Table 1 of this AD.

Do all applicable related investigative and corrective actions before further flight.
Actions accomplished before the effective date of this AD in accordance with Avions de Transport Regional Service Bulletin ATR42–28–0039, Revision 03, dated November 15, 2006, are considered acceptable for compliance with the corresponding action specified in this AD.

### TABLE 1.—SERVICE INFORMATION

<table>
<thead>
<tr>
<th>Avions de Transport Regional Service Bulletin</th>
<th>Revision level</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATR42–28–0039 (for Model ATR42 Airplanes)</td>
<td>04</td>
<td>June 12, 2007</td>
</tr>
<tr>
<td>ATR72–28–1019 (for Model ATR72 Airplanes)</td>
<td>05</td>
<td>June 12, 2007</td>
</tr>
</tbody>
</table>

### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: The additional actions specified in the MCAI for operators that have done actions in accordance with previous issues of the service bulletins are not complete. Therefore, this AD only refers to ATR Service Bulletin ATR42–28–0039, Revision 03, dated November 15, 2006; Revision 04, dated June 12, 2007; and ATR72–28–1019, Revision 05, dated June 12, 2007; as appropriate sources of service information for accomplishing the required actions. Operators that have done actions in accordance with previous issues of the service bulletins may request an approval for an alternative method of compliance (AMOC) according to paragraph (g) of this AD, provided that the AMOC provides an acceptable level of safety.

### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

1. **Alternative Methods of Compliance (AMOCs):** The Manager, ANM–116, International Branch, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1137; fax (425) 227–1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

2. **Airworthy Product:** For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

### Related Information

(b) Refer to MCAI EASA Airworthiness Directive 2007–0226, dated August 24, 2007, and the service information listed in Table 2 of this AD, for related information.

### TABLE 2.—RELATED SERVICE INFORMATION

<table>
<thead>
<tr>
<th>Avions de Transport Regional Service Bulletin</th>
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</table>

 Issued in Renton, Washington, on December 10, 2007.

Ali Bahrami,
Manager, Transport Airplane Directorate, Aircraft Certification Service.[FR Doc. E7–24382 Filed 12–14–07; 8:45 am] BILLING CODE 4910–13–P

### DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Parts 4 and 9

[Notice No. 79; Re: Notice No. 77]

RIN 1513–AA92

Proposed Establishment of the Calistoga Viticultural Area; Comment Period Extension

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau, Treasury.

**ACTION:** Notice of proposed rulemaking; extension of comment period.

**SUMMARY:** In response to industry member requests, we are extending the comment period for Notice No. 77, Proposed Establishment of the Calistoga Viticultural Area, a notice of proposed rulemaking published in the Federal Register on November 20, 2007, for an additional 90 days.

**DATES:** Written comments on Notice No. 77 must now be received on or before March 20, 2008.

**ADDRESSES:** You may send comments on Notice No. 77 to one of the following addresses:

- [http://www.regulations.gov](http://www.regulations.gov) (Federal e-rulemaking portal; follow the instructions for submitting comments); or
  - Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 14412, Washington, DC 20044–4412.


**FOR FURTHER INFORMATION CONTACT:** Amy R. Greenberg, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street, NW., Suite 200E, Washington, DC 20220; telephone 202–927–8210; or e-mail Amy.Greenberg@ttb.gov.

**SUPPLEMENTARY INFORMATION:** On March 31, 2005, the Alcohol and Tobacco Tax and Trade Bureau (TTB) published a notice of proposed rulemaking in the Federal Register regarding the establishment of the Calistoga viticultural area (see Notice No. 36, 70 FR 16451). In light of comments regarding the potential adverse impact on established brand names that we