

(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

(h) Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2007-0286, dated November 14, 2007, and Airbus Service Bulletin A320-33-1057, dated May 11, 2007, for related information.

Issued in Renton, Washington, on May 9, 2008.

**Michael J. Kaszycki,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E8-11284 Filed 5-19-08; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2008-0557; Directorate Identifier 2007-NM-364-AD]

RIN 2120-AA64

#### Airworthiness Directives; Dassault Model Falcon 2000EX 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:

During approach, a Falcon 2000EX operator experienced a temporary loss of the 4 Electronic Flight Instrumentation System (EFIS) display units followed by a consecutive restart of the avionics. During initial investigation, a loose connection on the DC load distribution system was discovered and determined to be the root cause of this event. However, further analysis pointed out that large electrical transients on the essential bus bar may possibly cause simultaneous and temporary power shortage on both sides of the electrical system.

This Airworthiness Directive (AD) \* \* \* action is necessary to prevent a momentary loss of data on the EFIS screens, which could lead to the pilot's loss of situational awareness during initial climb or approach/landing, and possibly result in reduced control 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 June 19, 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.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *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 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 (425) 227-1137; fax (425) 227-1149.

#### 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-2008-0557; Directorate Identifier 2007-NM-364-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 2007-0290, dated November 26, 2007 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

During approach, a Falcon 2000EX operator experienced a temporary loss of the 4 Electronic Flight Instrumentation System (EFIS) display units followed by a consecutive restart of the avionics. During initial investigation, a loose connection on the DC load distribution system was discovered and determined to be the root cause of this event. However, further analysis pointed out that large electrical transients on the essential bus bar may possibly cause simultaneous and temporary power shortage on both sides of the electrical system.

This Airworthiness Directive (AD) requires a wiring modification of the GCUs (Generator Control Units) to increase the electrical system robustness. This action is necessary to prevent a momentary loss of data on the EFIS screens, which could lead to the pilot's loss of situational awareness during initial climb or approach/landing, and possibly result in reduced control of the airplane. This action is intended to address the identified unsafe condition.

You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

Dassault has issued Service Bulletin F2000EX-141, Revision 1, dated November 26, 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 57 products of U.S. registry. We also estimate that it would take 8 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 \$0 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 \$36,480, or \$640 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:

**Dassault Aviation:** Docket No. FAA-2008-0557; Directorate Identifier 2007-NM-364-AD.

#### Comments Due Date

(a) We must receive comments by June 19, 2008.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Dassault Model Falcon 2000EX airplanes from serial number 1 to 107 inclusive, certificated in any category; which have not been modified by Dassault Service Bulletin (SB) F2000EX-141.

#### Subject

(d) Air Transport Association (ATA) of America Code 24: Electrical Power

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states: During approach, a Falcon 2000EX operator experienced a temporary loss of the 4 Electronic Flight Instrumentation System (EFIS) display units followed by a consecutive restart of the avionics. During initial investigation, a loose connection on the DC load distribution system was discovered and determined to be the root

cause of this event. However, further analysis pointed out that large electrical transients on the essential bus bar may possibly cause simultaneous and temporary power shortage on both sides of the electrical system.

This Airworthiness Directive (AD) requires a wiring modification of the GCUs (Generator Control Units) to increase the electrical system robustness. This action is necessary to prevent a momentary loss of data on the EFIS screens, which could lead to the pilot's loss of situational awareness during initial climb or approach/landing, and possibly result in reduced control of the airplane. This action is intended to address the identified unsafe condition.

### Actions and Compliance

(f) Unless already done, do the following actions.

(1) Within 13 months after the effective date of this AD, modify the GCU electrical wiring as instructed in the Accomplishment Instructions of Dassault Service Bulletin F2000EX-141, Revision 1, dated November 26, 2007.

(2) Actions done prior to the effective date of this AD according to Dassault Service Bulletin F2000EX-141, dated February 16, 2007, are acceptable for compliance with the corresponding requirements of this AD.

### FAA AD Differences

**Note:** 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, International Branch, ANM-116, 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.

(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

(h) Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2007-

0290, dated November 26, 2007, and Dassault Service Bulletin F2000EX-141, Revision 1, dated November 26, 2007, for related information.

Issued in Renton, Washington, on May 8, 2008.

**Michael J. Kaszycki,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E8-11282 Filed 5-19-08; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF COMMERCE

### National Oceanic Atmospheric Administration

#### 15 CFR Part 923

[Docket No. 080416573-8574-01]

RIN 0648-AW74

#### Changes to the Coastal Zone Management Act Program Change Procedures

**AGENCY:** Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic Atmospheric Administration (NOAA), Department of Commerce (Commerce).

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** NOAA intends to replace the Coastal Zone Management Act (CZMA) program change regulations (15 CFR part 923, subpart H) and associated guidance (OCRM's Program Change Guidance (July 1996)) with new regulations at 15 CFR part 923, subpart H. This notice requests public comment on the CZMA program change process that NOAA should consider when developing a proposed rule to replace 15 CFR part 923, subpart H.

**DATES:** Comments on this notice must be received by August 18, 2008.

**ADDRESSES:** Please send comments as an attachment to an e-mail in MS Word (WordPerfect is also acceptable), or in the body of an e-mail, to [CZMA.ProgramChanges.ANPR@noaa.gov](mailto:CZMA.ProgramChanges.ANPR@noaa.gov). Address all comments regarding this notice to Mr. Kerry Kehoe, Federal Consistency Specialist, Coastal Programs Division, Office of Ocean and Coastal Resource Management, NOAA, 1305 East-West Highway, 11th Floor, Silver Spring, MD 20910. Attention: CZMA Program Change Comments. Written comments may also be sent to this address.

All comments received by the comment deadline and this **Federal Register** notice will be posted at OCRM's federal consistency Web page

at: <http://coastalmanagement.noaa.gov/consistency/rule.html>.

#### FOR FURTHER INFORMATION CONTACT:

Kerry Kehoe, Federal Consistency Specialist, 301-713-3155 ext. 151, Office of Ocean and Coastal Resource Management, NOAA.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The CZMA (16 U.S.C. 1451-1465) was enacted on October 27, 1972, to encourage coastal States, Great Lake States, and United States Territories and Commonwealths (collectively referred to as "coastal States" or "States") to be proactive in managing the uses and resources of the coastal zone for their benefit and the benefit of the Nation. The CZMA recognizes a national interest in the uses and resources of the coastal zone and in the importance of balancing the competing uses of coastal resources. The CZMA is a voluntary program for States. If a State elects to participate it must develop and implement a coastal management program (CMP) pursuant to federal requirements. See CZMA section 306(d)(16 U.S.C. 1455(d)); 15 CFR part 923. State CMPs are comprehensive management plans that describe the uses subject to the management program, the authorities and enforceable policies of the management program, the boundaries of the State's coastal zone, the organization of the management program, and related State coastal management concerns. Thirty-five coastal States are eligible to participate in the federal coastal management program. Thirty-four of the eligible States have federally approved CMPs.

An important component of the CZMA program is that State CMPs are developed with the full participation of state and local agencies, industry, the public, other interested groups and Federal agencies. See *e.g.*, 16 U.S.C. 1451(i) and (m), 1452(2)(H) and (I), 1452(4) and (5), 1455(d)(1) and (3)(B), and 1456. Program changes are changes to NOAA-approved components of State CZMA programs and new program components. There are five program approval areas (includes related changes to, or new, enforceable policies related to the five areas).

The five areas are:

1. Uses subject to program;
2. Coastal zone boundaries;
3. National interest;
4. Special Area Management Plans; and
5. Authorities & Organization.

Program changes are important for several reasons. The statute requires

submission to NOAA and NOAA approval (16 U.S.C. 1455(e)); state programs are not static; laws and issues change requiring continual operation of the CZMA State-Federal partnership. The State-Federal partnership is a cornerstone of the CZMA. The primacy of state CZMA decisions and the CZMA federal consistency requirement is balanced with adequate consideration national interest components, Federal agency input into the content of State programs, and NOAA approval.

In their federally approved CMPs and state CZMA decisions states must consider national interest areas of the CZMA to benefit national, not just local interests. In addition to the national interest in comprehensive coastal management by states, states must give priority consideration to coastal dependant national interest activities: Defense, energy, ports, transportation. For example, some of the more important issues NOAA must consider when evaluating program changes include whether the proposed change would: Affect CZMA national interest areas; seek to regulate federal agencies or areas outside state jurisdiction; be preempted by federal law; discriminate against particular coastal users or federal agencies; be enforceable under State law; raise issues under the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), National Historic Preservation Act (NHPA), etc.

Program changes are also important because the CZMA has a strong public participation role, combined with the State-Federal partnership. NOAA can only approve CMPs and changes to CMPs after Federal agencies and the public have an opportunity to comment on whether proposed new or revised "enforceable policies" are appropriate under the CZMA authority and other federal and state legal requirements. An enforceable policy is a State policy that is legally binding under State law (*e.g.*, through constitutional provisions, laws, regulations, land use plans, ordinances, or judicial or administrative decisions) and by which a State exerts control over private and public coastal uses and resources, and which are incorporated in a State's federally approved CMP. See 16 U.S.C. 1453(6a). This means that enforceable policies must be given legal effect by State law and cannot apply to Federal lands, Federal waters, Federal agencies or other areas or entities outside a State's jurisdiction, unless authorized by Federal law. Also, the CZMA section 307 federal consistency provision requires that state enforceable policies are the standards that apply to Federal agency activities, federal license