

paragraph (o) or (p) of this AD terminates the requirements of this paragraph.

#### New Requirements of This AD

##### *Revise Airworthiness Limitations Section (ALS) To Incorporate Limitations and Maintenance Tasks for Aging Systems Maintenance*

(o) Within 3 months after the effective date of this AD, revise the ALS of the Instructions for Continued Airworthiness (ICA) to incorporate Airbus A310 ALS Part 4—Aging Systems Maintenance, Revision 01, dated December 21, 2006; or Airbus A300–600 ALS Part 4—Aging Systems Maintenance, Revision 01, dated December 21, 2006; as applicable. For all tasks identified in Airbus A310 ALS Part 4—Aging Systems Maintenance, Revision 01; and Airbus A300–600 ALS Part 4—Aging Systems Maintenance, Revision 01; do the tasks at the later of the times specified in paragraphs (o)(1) and (o)(2) of this AD, except as provided by paragraph (p) of this AD. The repetitive inspections must be accomplished thereafter at the interval specified in Airbus A310 ALS Part 4—Aging Systems Maintenance, Revision 01; and Airbus A300–600 ALS Part 4—Aging Systems Maintenance, Revision 01. Doing an inspection required by this paragraph terminates the corresponding inspection required by paragraph (f), (g), (l), (m), or (n) of this AD.

(1) At the initial compliance times (thresholds) specified in the applicable ALS Part 4—Aging Systems Maintenance, with the compliance times starting from the later of the times specified in paragraphs (o)(1)(i) and (o)(1)(ii) of this AD.

(i) Since first flight of the airplane.

(ii) Since the applicable part was new or refurbished if the part's life (in flight hours, flight cycles, landings, or calendar time, as applicable) can be conclusively determined.

(2) Within 3 months after doing the revision of the ALS of the ICA required by paragraph (o) of this AD.

**Note 7:** Refer to Airbus OIT SE 999.0074/05/BB, dated August 3, 2005, for additional information on the THSA life limits.

**Note 8:** Refer to Airbus OIT SE 999.0008/07/LB, dated January 16, 2007; and Airbus Service Information Letter (SIL) 05–008, Revision 1, dated February 21, 2007; for additional information on the THSA life limits and calculation method for unknown history of parts.

(p) For airplanes on which any life limitation/maintenance task has been complied with in accordance with the requirements of paragraph (f), (g), (l), (m), or (n) of this AD (e.g., AD 2006–10–11 or AD 2006–15–10), the last accomplishment of each limitation/task must be retained as a starting point for the accomplishment of each corresponding limitation/task interval now introduced in Airbus A310 ALS Part 4—Aging Systems Maintenance, Revision 01, dated December 21, 2006; and A300–600 ALS Part 4—Aging Systems Maintenance, Revision 01, dated December 21, 2006; as applicable. Doing an inspection required by this paragraph terminates the corresponding inspection required by paragraph (f), (g), (l), (m), or (n) of this AD.

(q) Except as provided by paragraph (r) of this AD: After accomplishing the actions specified in paragraphs (o) and (p) of this AD, no alternative inspection, inspection intervals, or limitations may be used.

#### *Alternative Methods of Compliance (AMOCs)*

(r)(1) 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 Stafford, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–1622; 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) AMOCs approved previously in accordance with AD 2006–10–11 are not approved as AMOCs with this AD.

(3) AMOCs approved previously in accordance with AD 2006–15–10 are not approved as AMOCs with this AD.

#### *Related Information*

(s) EASA airworthiness directive 2007–0092, dated April 10, 2007, also addresses the subject of this AD.

Issued in Renton, Washington, on September 18, 2008.

**Michael Kaszycki,**

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

[FR Doc. E8–22632 Filed 9–25–08; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2008–1020; Directorate Identifier 2008–CE–053–AD]

RIN 2120–AA64

#### **Airworthiness Directives; Vulcanair S.p.A. Model P68 Series Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (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:

The Safe Fatigue Limits (SFL) of the Wing Structure in the P68 Series aircraft have been redefined from the current 8,500 Flight Hours to a new value to be calculated up to a maximum of 17,500 Flight Hours. This has been developed by Vulcanair under Change No. MOD.P68/79 Rev. 1 and approved by EASA with No. EASA.A.C.02482 on 07 June 2006.

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 October 27, 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 W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, 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 Management Facility 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 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:**

Sarjapur Nagarajan, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4145; fax: (816) 329–4090.

#### **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–2008–1020; Directorate Identifier 2008–CE–053–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 because of 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 AD No.: 2007-0027, dated February 5, 2007 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

The Safe Fatigue Limits (SFL) of the Wing Structure in the P68 Series aircraft have been redefined from the current 8,500 Flight Hours to a new value to be calculated up to a maximum of 17,500 Flight Hours. This has been developed by Vulcanair under Change No. MOD.P68/79 Rev. 1 and approved by EASA with No. EASA.A.C.02482 on 07 June 2006.

The new Safe Fatigue Limits depend on:

(a) Status of the modification (reinforcement) of the wing structure itself (Partenavia Service Bulletin No. 65 refers); and

(b) Aircraft Flight Hours accumulated before the modification (reinforcement) was implemented.

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

#### Relevant Service Information

Vulcanair S.p.A. has issued Service Bulletin No. 120 Rev. 1, dated June 7, 2006. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### FAA's Determination and Requirements of the 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 this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

#### Differences Between This Proposed 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

We estimate that this proposed AD will affect 72 products of U.S. registry. We also estimate that it would take about 80 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$460,800, or \$6,400 per product.

We have no way of determining the number of products that may need any necessary follow-on actions.

#### 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:

**Vulcanair S.p.A. (Type Certificate No. A31EU formally held by Partenavia Costruzioni Aeronautiche S.p.A.):** Docket No. FAA-2008-1020; Directorate Identifier 2008-CE-053-AD.

#### Comments Due Date

- (a) We must receive comments by October 27, 2008.

#### Affected ADs

- (b) None.

#### Applicability

(c) This AD applies to Models P 68, P 68B, P 68C, P 68C-TC, P 68 "OBSERVER," AP68TP300 "SPARTACUS," P68TC "OBSERVER," AP68TP 600 "VIATOR," and P68 "OBSERVER 2" airplanes; all serial numbers, certificated in any category.

#### Subject

(d) Air Transport Association of America (ATA) Code 51: Standard Practices/Structures.

#### Reason

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

The Safe Fatigue Limits (SFL) of the Wing Structure in the P68 Series aircraft have been redefined from the current 8,500 Flight Hours to a new value to be calculated up to a maximum of 17,500 Flight Hours. This has been developed by Vulcanair under Change No. MOD.P68/79 Rev. 1 and approved by EASA with No. EASA.A.C.02482 on 07 June 2006.

The new Safe Fatigue Limits depend on:  
 (1) Status of the modification (reinforcement) of the wing structure itself (Partenavia Service Bulletin No. 65 refers); and  
 (2) Aircraft Flight Hours accumulated before the modification (reinforcement) was implemented.

#### Actions and Compliance

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

(1) For serial numbers 01 through 356, determine the safe fatigue limit of the wing structure following Vulcanair S.p.A. Service Bulletin No. 120 Rev. 1, dated June 7, 2006, within 8,500 hours time-in-service (TIS) since new or within 500 hours TIS after the effective date of this AD, whichever occurs later.

(2) For serial numbers 01 through 356, inspect the wing structure and the wing to fuselage attachments following Vulcanair S.p.A. Service Bulletin No. 120 Rev. 1, dated June 7, 2006, within the safe fatigue limit determined in paragraph (f)(1) of this AD or within 500 hours TIS after the effective date of this AD, whichever occurs later. Repetitively thereafter inspect at intervals not to exceed every 500 hours TIS.

(3) For serial numbers 357 and above, inspect the wing structure and the wing to fuselage attachments following Vulcanair S.p.A. Service Bulletin No. 120 Rev. 1, dated June 7, 2006, within 17,500 hours TIS since new or within 500 hours TIS after the effective date of this AD, whichever occurs later. Repetitively thereafter inspect at intervals not to exceed every 500 hours TIS.

(4) For all serial numbers, inspect the stabilator following Vulcanair S.p.A. Service Bulletin No. 120 Rev. 1, dated June 7, 2006, within 8,500 hours TIS since new or within 500 hours TIS after the effective date of this AD, whichever occurs later. Repetitively thereafter inspect at intervals not to exceed every 500 hours TIS.

(5) If as a result of any inspection required by paragraphs (f)(2), (f)(3), or (f)(4) of this AD you find any discrepancies (for example, cracked or broken parts), do one of the following actions before further flight:

(i) Repair the airplane following FAA-approved repair instructions obtained from Vulcanair S.p.A.; or

(ii) Repair the airplane following a repair method approved by the FAA for this AD. Contact the FAA at the address in paragraph (g)(1) of this AD for an FAA-approved method.

**Note 1:** For certain Model P 68 airplanes, AD 85-08-04 requires repetitive inspections of the front and rear wing spars for cracks with modification if cracks are found. The modification terminates the repetitive inspections required in AD 85-08-04 and may be done regardless if cracks are found. The actions of AD 85-08-08 are independent of this AD action and remain in effect.

#### FAA AD Differences

**Note 2:** This AD differs from the MCAI and/or service information as follows:

(1) The MCAI is extending the safe fatigue limits of the wing structure and the wing to fuselage attachments of certain airplanes.

Airplanes registered in the United States did not have safe fatigue limits established for the wing structure and the wing to fuselage attachments. This AD is establishing safe fatigue limits for the wing structure and the wing to fuselage attachments. This AD is also establishing safe fatigue limits for the stabilator.

(2) The MCAI requires implementation of safe fatigue limits into the airplane maintenance program (maintenance program). An airplane registered in the United States and operated under 14 CFR part 91 is required to have a maintenance program, but not necessarily following the airplane maintenance manual. This AD requires you to do specific actions of Vulcanair S.p.A. Service Bulletin No. 120 Rev. 1, dated June 7, 2006, rather than incorporating those actions into the maintenance program.

#### Other FAA AD Provisions

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

(1) Alternative Methods of Compliance (AMOCs): The Manager, Standards Office, 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: Sarjapur Nagarajan, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4145; fax: (816) 329-4090. 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 (44 U.S.C. 3501 *et. seq.*), 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 AD No.: 2007-0027, dated February 5, 2007; and Vulcanair S.p.A. Service Bulletin No. 120 Rev. 1, dated June 7, 2006, for related information.

Issued in Kansas City, Missouri, on September 17, 2008.

**James E. Jackson,**

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

[FR Doc. E8-22338 Filed 9-25-08; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 93

[Docket No. FAA-2007-26470; and Notice No. 08-10]

RIN 2120-AJ29

#### Proposed Establishment of Special Air Traffic Rule, in the Vicinity of Luke AFB, AZ

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This rule would establish a Special Air Traffic Rule (SATR) in the vicinity of Luke Air Force Base (Luke) which would require general aviation (GA) traffic operating under visual flight rules (VFR) to establish communication with the Luke Radar Approach Control (RAPCON) while operating in the area around Luke. This action is necessary to address reported near midair collisions in the area around Luke and would help reduce the potential for midair collisions in the vicinity of Luke.

**DATES:** Comments must be received on or before November 25, 2008.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2007-26470 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Bring comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at 202-493-2251.

For more information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the electronic form of all comments received into any of our dockets,