Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for the Boeing Model 747–8 airplanes.

In addition to the provisions of 14 CFR part 25, the following special conditions are proposed:

1. The extendable escape slide must receive TSO–C69c or latest TSO authorization published at the time of TSO application for the Door 1 Slide.

2. In addition to the requirements of § 25.810(a)(1)(iii) for usability in conditions of landing gear collapse, the deployed escape slide in the extended mode must demonstrate an evacuation rate of 45 persons per minute per lane at the sill height corresponding to activation of the extension.

3. In lieu of the requirements of § 25.810(a)(1)(iv), the escape slide with the extendable section activated must be capable of being deployed in 22-knot winds directed from the critical angle, with the airplane on all its landing gear, with the assistance of one person on the ground. Two deployment scenarios must be addressed as follows:

(a) Extendable section is activated during the inflation time of the basic slide and,

(b) Extendable section is activated after the basic slide is completely inflated.

4. Pitch sensor tolerances and accuracy must be taken into account when demonstrating compliance with § 25.1309(a) for the escape slide in both extended and unextended modes.

5.(a) There must be a "slide extension" warning such that the cabin crew is immediately made aware of the need to deploy the extendable section of the slide. The ability to provide such a warning must be available for ten minutes after the airplane is immobilized on the ground.

(b) There must be a positive means for the cabin crew to determine that the extendable portion of the slide has been fully erected.

6. Whenever passengers are carried on the main deck of the airplane, there must be a cabin crewmember stationed on each side of the airplane located near each Door 1 Exit. This special condition must be included in the airplane flight manual as a limitation.

Issued in Renton, Washington, on May 3, 2011.

KC Yanamura,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2011–11294 Filed 5–9–11; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2011–0088; Directorate Identifier 2010–CE–072–AD]

RIN 2120–AA64

Airworthiness Directives; Embraer—Embraer—Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–500 Airplanes

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

ACTION: Supplemental notice of proposed rulemaking (NPRM); extension of the comment period.

SUMMARY: We are revising an earlier NPRM 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:

It has been found that moisture may accumulate and freeze, under certain conditions, in the gap between the AOA vane base assembly and the stationary ring of the sensor's body. If freezing occurs both AOA sensors may get stuck and the Stall Warning Protection System (SWPS) will be no longer effective without alerting. This may result in inadvertent aerodynamic stall and loss of controllability 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 24, 2011.

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.

For service information identified in this proposed AD, contact EMBRAER Empresa Brasileira de Aeronáutica S.A., Phenom Maintenance Support, Av. Brig. Faria Lima, 2170, Sao Jose dos Campos—SP, CEP: 12227–901—PO Box: 36/2, Brasil; *telephone:* ++55 12 3927–5383; *fax:* ++55 12 3927–2619; *E-mail: phenom.reliability @embraer.com.br;* Internet: *http://www.embraer.com.br.* You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

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: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329–4165; *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–2011–0088; Directorate Identifier 2010–CE–072–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

We proposed to amend 14 CFR part 39 with an earlier NPRM for the specified products, which was published in the **Federal Register** on January 31, 2011 (76 FR 5298). That earlier NPRM proposed to require actions intended to address the unsafe condition for the products listed above.

Since that NPRM was issued, EMBRAER issued new service information that adds actions to inspect the sensor area and apply sealant around the sensors and also adds additional airplanes to the applicability.

The Agência Nacional de Aviação Civil—Brazil (ANAC), which is the aviation authority for Brazil, has issued Notice of Proposed Regulation (NPR) NPR/AD 2011–500–02, dated March 31, 2011, to add additional information from the revised service information to correct an unsafe condition for the specified products. The NPR states:

> It has been found that moisture may accumulate and freeze, under certain conditions, in the gap between the AOA vane base assembly and the stationary ring of the sensor's body. If freezing occurs both AOA sensors may get stuck and the Stall Warning Protection System (SWPS) will be no longer effective without alerting. This may result in inadvertent aerodynamic stall and loss of controllability of the airplane.
> Since this condition may occur in other airplanes of the same type and affects flight safety, a corrective action is required. Thus, sufficient reason exists to request compliance with this AD in the indicated time limit.

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

Relevant Service Information

Embraer—Empresa Brasileira de Aeronautica S.A. has issued PHENOM Service Bulletin SB No.: 500–27–0006, Revision No.: 02, dated January 14, 2011. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

Comments

We have considered the following comments received on the earlier NPRM.

Service Information Revision

Embraer commented that new requirements to inspect the sensor area and apply sealant around the interface between the angle of attack (AOA) covers and the new AOA sensors were included in a revision to the service information referenced in the earlier NPRM. If the new requirements in the revised service information were not included in the proposed NPRM action, the new AOA sensors could be subject to the same behavior as the old AOA sensors. Embraer suggests changing the proposed NPRM to include the actions and procedures required by the new revised service information.

We agree with this comment. If we do not incorporate the additional actions and procedures required by the revised service information, moisture could still accumulate and freeze, under certain conditions, in the gap between the new AOA vane base assembly and the stationary ring of the new sensor's body. This condition could cause the sensors to get stuck and cause the Stall Warning Protection System to no longer be effective. We propose the use of PHENOM Service Bulletin SB No.: 500–27–0006, Revision No.: 02, dated January 14, 2011, which incorporates the actions previously proposed and adds additional actions and procedures to require inspecting the sensor area and applying sealant around the interface between the AOA covers and the AOA sensors.

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.

Certain changes described above expand the scope of the earlier NPRM. As a result, we have determined that it is necessary to reopen the comment period to provide additional opportunity for the public to comment on the proposed AD.

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 101 products of U.S. registry.

We estimate that 85 products of U.S. registry would require the modification and that it would take about 9.5 work-hours per product to comply with the modification requirements of this proposed AD. The average labor rate is $85 per work-hour. Required parts would cost about $1,550 per product.

Based on these figures, we estimate the cost of the modification requirement of the proposed AD on U.S. operators to be $200,387.50, or $2,357.50 per product.

We estimate that 101 products of U.S. registry would require an inspection for sealant application. We estimate it would take .5 hours to comply with the inspection requirements of this proposed AD.

Based on these figures, we estimate the cost of the inspection for the sealant application requirement of the proposed AD on U.S. operators to be $4,292.50, or $42.50 per product.

In addition, we estimate that any necessary follow-on actions would take about 1.5 work-hours and require parts costing $50, for a cost of $177.50 per product. We have no way of determining the number of products that may need these 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:

Embraer—Empresa Brasileira de Aeronautica S.A.: Docket No. FAA–2011–0088; Directorate Identifier 2010–CE–072–AD.

Comments Due Date

(a) We must receive comments by June 24, 2011.

Affected ADs

(b) None.

Applicability

(c) This AD applies to the following airplanes, certificated in any category:

(1) *Group 1 airplanes*

Group 1 includes Empresa Brasileira de Aeronautica S.A. (EMBRAER) EMB–500 airplanes, serial numbers 50000005 through 50000119, 50000121 through 50000130, 50000132 through 50000134, 50000136, 50000137, 50000139, 50000141 through 50000158, 50000160 through 50000162, 50000164, 50000165, 50000167 through 50000175, 50000177, and 50000178, that are equipped with Angle of Attack (AOA) sensors, part number (P/N) C–100117–2 and cover plates P/N 500–01702–401 and/or P/N 500–01702–402.

(2) *Group II airplanes*

Group II includes Empresa Brasileira de Aeronautica S.A. (EMBRAER) EMB–500 airplanes, serial numbers 50000005 through 50000217, 50000219 through 50000221, and 50000226.

Note 1: In-production effectivity—Empresa Brasileira de Aeronautica S.A. (EMBRAER) EMB–500 airplanes, serial numbers 500000218, 50000222 through 50000225, 50000227, and on, have incorporated the proposed actions of this AD at the factory and are not included in the applicability of this AD.

Subject

(d) Air Transport Association of America (ATA) Code 27: Flight Controls.

Reason

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

It has been found that moisture may accumulate and freeze, under certain conditions, in the gap between the AOA vane base assembly and the stationary ring of the sensor's body. If freezing occurs both AOA sensors may get stuck and the Stall Warning Protection System (SWPS) will be no longer effective without alerting. This may result in inadvertent aerodynamic stall and loss of controllability of the airplane.

Since this condition may occur in other airplanes of the same type and affects flight safety, a corrective action is required. Thus, sufficient reason exists to request compliance with this AD in the indicated time limit.

The MCAI requires replacement of both Angle of Attack (AOA) sensors and cover plates, inspection of the sensor area, and, if needed, application of sealant between the AOA covers and the AOA sensors.

Actions and Compliance

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

(1) For *Group I airplanes:* Within 300 hours time-in-service (TIS) after the effective date of this AD or within 12 months after the effective date of this AD, whichever comes first, do the following actions following part I of PHENOM Service Bulletin SB No.: 500–27–0006, Revision No.: 02, dated January 14, 2011:

(i) Replace the left hand (LH) and the right hand (RH) AOA sensors P/N C–100117–2 with LH and RH AOA sensors P/N C–100117–3.

(ii) Replace the LH cover plate P/N 500–01702–401 and the RH cover plate P/N 500–01702–402 with LH cover plate P/N 500–01702–403 and RH cover plate P/N 500–01702–404.

(iii) If, before the effective date of this AD, the replacement actions required in paragraphs (f)(1)(i), and (ii) of this proposed AD have already been done following PHENOM Service Bulletin SB No.: 500–27–0006, dated September 2, 2010, and/or PHENOM Service Bulletin SB No.: 500–27–0006, Revision No.: 01, dated November 29, 2010, we will allow "unless already done" credit for corrective actions already done.

(4) *For group I and group II airplanes:* Within 300 hours TIS after the effective date of this AD or within 12 months after the effective date of this AD, whichever comes first, inspect the interface between the AOA covers and the AOA sensors, and, if the sealant is missing, clean the areas and apply new sealant following part II of PHENOM Service Bulletin SB No.: 500–27–0006, Revision No.: 02, dated January 14, 2011.

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, 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:* Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329–4165; 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, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave., SW., Washington, DC 20591, *Attn:* Information Collection Clearance Officer, AES–200.

Related Information

(h) Refer to Agência Nacional de Aviação Civil—Brazil (ANAC), NPR/AD 2011–500–02, dated March 31, 2011; MCAI Agência Nacional De Aviação Civil—Brazil (ANAC), AD No.: 2010–11–01, dated December 20, 2010; and PHENOM Service Bulletin SB No.: 500–27–0006, Revision No.: 02, dated January 14, 2011; for related information. For service information related to this AD, contact EMBRAER Empresa Brasileira de

Aeronáutica S.A., Phenom Maintenance Support, Av. Brig. Faria Lima, 2170, Sao Jose dos Campos—SP, CEP: 12227–901—PO Box: 36/2, Brasil; *telephone:* ++55 12 3927–5383; *fax:* ++55 12 3927–2619; *E-mail: phenom.reliability@embraer.com.br;* Internet: *http://www.embraer.com.br.* You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call 816–329–4148.

Issued in Kansas City, Missouri, on May 4, 2011.

Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2011–11334 Filed 5–9–11; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2011–0389; Directorate Identifier 2007–NM–189–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A300 B2–1C, A300 B2–203, A300 B2K–3C, A300–B4–103, A300 B4–203, and A300 B4–2C 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 that would supersede an existing AD. 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:

* * * [C]racks * * * in sections 13 to 18 of the fuselage between rivets of longitudinal lap joints between frames 18 and 80 which could affect the structural integrity of the fuselage if not corrected.

* * * * *

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 24, 2011.

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.

For service information identified in this proposed AD, contact Airbus SAS—EAW (Airworthiness Office), 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; *e-mail: account.airworth-eas@airbus.com;* Internet *http://www.airbus.com.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

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: Dan Rodina, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–2125; 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–2011–0389; Directorate Identifier 2007–NM–189–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

On December 20, 1989, we issued AD 90–01–10, Amendment 39–6448 (55 FR 261, January 4, 1990). That AD required actions intended to address an unsafe condition on the products listed above.

Since we issued AD 90–01–10, Airbus has refined the inspection program for cracking at areas of the fuselage defined in AD 90–01–10 as "special areas" (paragraph A.1. of AD 90–01–10), "standard areas" (paragraph A.2. of AD 90–01–10), and "modified or repaired areas" (paragraph A.3. of AD 90–01–10). The new inspection program is designed to allow airplanes to reach their limit of validity (LOV). Certain compliance times are reduced and certain other compliance times are extended.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2007–0091, dated April 10, 2007, and corrected June 23, 2008 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

> This Airworthiness Directive (AD) is issued in order to prevent cracks development in sections 13 to 18 of the fuselage between rivets of longitudinal lap joints between frames 18 and 80 which could affect the structural integrity of the fuselage if not corrected.
>
> This new AD:
>
> —Retains the requirements of DGAC AD 1989–061–092(B)R4 [which corresponds to FAA AD 90–01–10], which is cancelled;
>
> —Takes into account a new inspection program as detailed in AIRBUS Service Bulletins (SB) A300–53–0211 Revision 7, which will allow A300 aircraft to reach the Limit of Validity (LOV).
>
> This AD has been republished to correctly refer to SB A300–53–0211 in Note 2 of the Compliance section.

The inspection program consists of repetitive detailed inspections for disbonding and cracking of the fuselage inner doubler; eddy current and ultrasonic inspections of the fuselage longitudinal lap joints for cracking; and repair if necessary (i.e., repairing any cracking or disbonding, or contacting Airbus for repair instructions and doing the repair). You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Airbus has issued Service Bulletin A300–53–229, Revision 5, dated April 8,