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 have 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 that the 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. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

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 Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

Boeing: Docket No. FAA–2007–0049; Directorate Identifier 2007–NM–168–AD.

Comments Due Date

(a) The FAA must receive comments on this AD action by December 3, 2007.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Boeing Model 737–600, –700, –700C, –800, and –900 series airplanes, certificated in any category; as identified in Boeing Special Attention Service Bulletin 737–54–1043, dated May 2, 2007.

Unsafe Condition

(d) This AD results from reports of failure of the drain tube assembly and support clamp on the aft fairing of an engine strut. We are issuing this AD to prevent failure of the drain tube assemblies and clamps on the aft fairings of the struts of the number 1 and number 2 engines. Such a failure could allow leaked flammable fluids in the drain systems to discharge on to the heat shields of the aft fairings of the engine struts, which could result in an undetected and uncontrollable fire.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Replacement

(f) Within 60 months after the effective date of this AD, remove the drain tube assemblies and support clamps on the aft fairing of the struts of engine number 1 and engine number 2. These are to be replaced with new drain tube assemblies and clamps, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 737–54–1043, dated May 2, 2007.

Alternative Methods of Compliance (AMOCs)

(g)(1) The Manager, Seattle Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. 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.

Issued in Renton, Washington, on October 9, 2007.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7–20469 Filed 10–16–07; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2007–0044; Directorate Identifier 2007–NM–126–AD]

RIN 2120–AA64

Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ 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:

An accumulator cylinder had material defects and suffered an in-flight burst failure causing damage to the aircraft structure. * * *

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 November 16, 2007.

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: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1175; 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–2007–0044; Directorate Identifier 2007–NM–126–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 2007–0076, dated March 21, 2007 (referred to after this as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> An accumulator cylinder had material defects and suffered an in-flight burst failure causing damage to the aircraft structure. This resulted in the issue of EASA Emergency AD 2006–0061–E [we issued AD 2006–23–12 to address that EASA AD] that required the identification and check of cylinders from known suspect batches. Further investigations and checks by the accumulator manufacturer have concluded that all cylinders from a particular supplier may not have been correctly inspected at manufacture. To prevent the risk of further failures, this Airworthiness Directive (AD) requires all accumulators with cylinders from this supplier to be identified and inspected prior to re-installation.

The corrective action includes replacing any accumulator found to have a defect. You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

BAE Systems (Operations) Limited has issued Inspection Service Bulletin ISB.29–047, dated October 3, 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 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 1 product of U.S. registry. We also estimate that it would take about 4 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 $320, or $320 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:

BAE Systems (Operations) Limited (Formerly British Aerospace Regional Aircraft): Docket No. FAA–2007–0044; Directorate Identifier 2007–NM–126–AD.

Comments Due Date

(a) We must receive comments by November 16, 2007.

Affected ADs

(b) None.

Applicability

(c) This AD applies to BAE Systems (Operations) Limited Model BAe 146–100A, –200A, and –300A series airplanes; and Model Avro 146–RJ70A, 146–RJ85A, and 146–RJ100A airplanes; certificated in any category, all models, all serial numbers.

Subject

(d) Air Transport Association (ATA) of America Code 29: Hydraulic power.

Reason

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

An accumulator cylinder had material defects and suffered an in-flight burst failure causing damage to the aircraft structure. This resulted in the issue of EASA Emergency AD 2006–0061–E [we issued AD 2006–23–12 to address that EASA AD] that required the identification and check of cylinders from known suspect batches. Further investigations and checks by the accumulator manufacturer have concluded that all cylinders from a particular supplier may not have been correctly inspected at manufacture. To prevent the risk of further failures, this Airworthiness Directive (AD) requires all accumulators with cylinders from this supplier to be identified and inspected prior to re-installation.

The corrective action includes replacing any accumulator found to have a defect.

Actions and Compliance

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

(1) Within 30 months after the effective date of this AD, identify the installed accumulator in accordance with paragraph 2.C. of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.29–047, dated October 3, 2006, which makes reference to APPH Service Bulletin AIR91666–29–03, dated July 2006.

(2) When an accumulator is identified as being affected by this AD, before further flight after accomplishing the actions required in paragraph (f)(1) of this AD, remove the accumulator in accordance with paragraph 2.D. of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.29–047, dated October 3, 2006, and do a magnetic particle inspection of the cylinder for any defects in accordance with APPH Service Bulletin AIR91666–29–03, dated July 2006.

(3) If any defect is found during the inspection required in paragraph (f)(2) of this AD, before next flight, replace the accumulator with a serviceable unit in accordance with the Accomplishment Instructions of APPH Service Bulletin AIR91666–29–03, dated July 2006.

(4) After the effective date of this AD, no person may install a spare accumulator identified by APPH Service Bulletin AIR91666–29–03, dated July 2006, as a replacement part, unless it has been inspected in accordance with APPH Service Bulletin AIR91666–29–02, dated March 2006; or APPH Service Bulletin AIR91666–29–03, dated July 2006 (see second Note in paragraph 1.D.(1) of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.29–047, dated October 3, 2006, for further explanation).

FAA AD Differences

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

(1) Where the MCAI specifies to identify the installed accumulator within 6 weeks after the effective date of the AD, we have determined that the identification may be done within 30 months after the effective date of this AD to coincide with the compliance time for the magnetic particle inspection. In making this determination, we considered the maximum interval of time allowable for all affected airplanes to continue to operate without compromising safety, fleet usage, and the availability of replacement parts.

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: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–1175; 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 2007–0076, dated March 21, 2007, and the service information listed in Table 1 of this AD for related information.

TABLE 1.—SERVICE INFORMATION

Service Bulletin	Date
APPH Service Bulletin AIR91666–29–02	March 2006.
APPH Service Bulletin AIR91666–29–03	July 2006.
BAE Systems (Operations) Limited Inspection Service Bulletin ISB.29–047	October 3, 2006.

Issued in Renton, Washington, on October 9, 2007.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7–20462 Filed 10–16–07; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2007–0043; Directorate Identifier 2007–NM–058–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747SR, and 747SP Series Airplanes

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

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede an existing airworthiness directive (AD) that applies to certain Boeing Model 747 series airplanes. The existing AD currently requires inspecting to detect cracking in certain lower lobe fuselage skin lap joints, doing repetitive inspections for cracking at certain fastener locations having countersunk fasteners, and replacing countersunk fasteners with protruding head fasteners at certain fastener locations. This proposed AD would replace a previous high-frequency eddy current (HFEC) inspection method with a new HFEC inspection method, add a one-time inspection for cracking of certain airplanes, and terminate the adjustment factor for the inspection compliance times based on cabin differential pressure. This proposed AD also would include inspection at an additional lap joint. This proposed AD results from reports of fuselage skin cracks found at certain countersunk fastener locations in the upper row of lap joints near the wing-to-body fairings, and from a report that the presence of alodine-coated rivets could cause faulty results during the required inspections using the optional sliding probe HFEC inspection method specified in the existing AD. We are proposing this AD to prevent reduced structural integrity of the fuselage.

DATES: We must receive comments on this proposed AD by December 3, 2007.

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 AD, contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124–2207.

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: Ivan Li, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6437; fax (425) 917–6590.

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–2007–0043; Directorate Identifier 2007–NM–058–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

On July 13, 1994, we issued AD 94–15–06, amendment 39–8977 (59 FR 37659, July 25, 1994), for certain Boeing Model 747 series airplanes. That AD requires inspections to detect cracking in certain lower lobe fuselage skin lap joints; doing repetitive inspections for cracking at certain fastener locations having countersunk fasteners; and replacing countersunk fasteners with protruding head fasteners at certain fastener locations. That AD resulted from reports of cracking of the fuselage skin in certain areas and findings of additional countersunk fasteners. We issued that AD to prevent reduced structural integrity of the fuselage.

Actions Since Existing AD Was Issued

In 1985, Boeing started installing aluminum rivets coated with alodine in fuselage skins during production and supplied them to operators in modification kits. Alodine coating on aluminum rivets increases the rivet/skin electrical conductivity. Certain non-destructive inspection (NDI) methods rely on disruptions in the electromagnetic field around cracks in metallic structures to detect cracking. One such NDI method is the sliding probe high frequency eddy current (HFEC) inspection, which was an optional inspection method specified by AD 94–15–06. The effects of these increases in rivet/skin electricity conductivity could be strong enough to mask a crack indication during the required inspections using the optional sliding probe HFEC inspection method specified in AD 94–15–06.

Boeing has informed us that airplanes with line numbers 630 through 814 inclusive could have alodine-coated aluminum rivets installed in the fastener holes that were required to be inspected in accordance with AD 94–15–06. The presence of these rivets could cause faulty results when performing the required inspections using the optional sliding probe HFEC skin inspection method. Consequently, Boeing has issued Boeing Alert Service Bulletin 747–53A2312, Revision 3, dated February 8, 2007. (In AD 94–15–06, we referred to Boeing Service Bulletin 747–53A2312, Revision 2, dated October 8, 1992, as the appropriate source of service information for doing the required actions.) Revision 3 of the alert service bulletin updates the sliding probe HFEC skin inspection method, and includes a one-time special HFEC or detailed inspection of the affected fastener holes for airplanes on which the modification required by AD 94–15–06 has not been