defined in 14 CFR 25.853(d) to seats with large, non-metallic panels in their design.

Discussion of Comments

Notice of proposed special conditions No. 25–07–15–SC, pertaining to Boeing Model 777 series airplanes, was published in the **Federal Register** on October 29, 2007 (72 FR 61085). We only received comments from Boeing.

Change ''Approved'' to ''Applied for'' in Special Condition Number 4

Boeing requested that the word ''approved'' in the following sentence be changed to ''applied for.''

Only airplanes associated with new seat certification programs approved after the effective date of these special conditions will be affected by the requirements in these special conditions.

Boeing also requested clarification regarding what is meant by ''approved.''

FAA Response: Special condition number 4 was revised from what was issued for the final special conditions applicable to Model 737 airplanes. The Model 737 final special conditions contained the phrase ''applied for.'' That phrase was changed to ''approved'' in these final special conditions to ensure that these special conditions are applicable to as many Model 777 certification projects as possible. The 737 special conditions, in effect, notified Boeing that the flammability issue regarding seats with non-traditional, large, non-metallic panels must be addressed. The FAA discussed this issue with Boeing and stated that all subsequent special conditions related to this matter would be based on the project approval date.

To clarify what we mean by the approval date, the approval date is the date of approval of the affected amended type certificate or supplemental type certificate.

These Special Conditions Are Not Being Applied to Other Airplane Manufacturers

Boeing did not request a specific change in this comment, but did draw attention to the fact that the standards promulgated by these special conditions have not yet achieved a ''level playing field for the aviation industry.'' Boeing stated that it agreed with the FAA's goals to ensure that all parties in the industry are treated fairly, and the new standards are applied uniformly. However, Boeing noted that it is not apparent that those goals have yet been met.

FAA Response: As projects are identified that include seats with large, non-metallic panels, the FAA will issue special conditions for the affected airplane makes and models. We are currently working on several other special condition packages for airplanes produced by other manufacturers. In addition, we are considering rulemaking to revise § 25.853 to address this issue.

These special conditions are adopted as proposed.

Applicability

As discussed above, these special conditions are applicable to Boeing Model 777 series airplanes. Because the heat release and smoke testing requirements of § 25.853 are part of the type certification basis for the Model 777, these special conditions are applicable to all new seat certification programs for Model 777 series airplanes. The existing (i.e. with unchanged interiors) Model 777 fleet and follow-on deliveries of Model 777 series airplanes with previously certificated interiors are not affected. Should Boeing apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well.

Effective Upon Issuance

Under standard practice, the effective date of final special conditions would be 30 days after the date of publication in the **Federal Register**; however, as the delivery date for an affected Boeing Model 777 series airplane is imminent, the FAA finds that good cause exists to make these special conditions effective upon issuance.

Conclusion

This action affects only certain novel or unusual design features on one model series of airplanes. It is not a rule of general applicability.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

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

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Boeing Model 777 series airplanes. Compliance may be elected until March 8, 2008.

1. Except as provided in paragraph 3 of these special conditions, compliance with Title 14 CFR part 25, Appendix F, parts IV and V, heat release and smoke emission, is required for seats that incorporate non-traditional, large, non-metallic panels that may either be a single component or multiple components in a concentrated area in their design.

2. The applicant may designate up to and including 1.5 square feet of non-traditional, non-metallic panel material per seat place that does not have to comply with special condition Number 1, above. A triple seat assembly may have a total of 4.5 square feet excluded on any portion of the assembly (e.g., outboard seat place 1 square foot, middle 1 square foot, and inboard 2.5 square feet).

3. Seats do not have to meet the test requirements of Title 14 CFR part 25, Appendix F, parts IV and V, when installed in compartments that are not otherwise required to meet these requirements. Examples include:

a. Airplanes with passenger capacities of 19 or less, and

b. Airplanes exempted from § 25.853, Amendment 25–61 or later.

4. Only airplanes associated with new seat certification programs approved after the effective date of these special conditions will be affected by the requirements in these special conditions. Previously certificated interiors on the existing airplane fleet and follow-on deliveries of airplanes with previously certificated interiors are not affected.

Issued in Renton, Washington, on February 7, 2008.

Kevin Hull,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8–3141 Filed 2–19–08; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0164; Directorate Identifier 2007–SW–43–AD; Amendment 39–15375; AD 2008–04–03]

RIN 2120–AA64

Airworthiness Directives; Eurocopter France Model AS–365N2 and N3, SA–365C, C1 and C2, and SA–365N and N1 Helicopters

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

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for

Eurocopter Model AS–365N2 and N3, SA–365C, C1 and C2, and SA–365N and N1 helicopters. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority to identify and correct an unsafe condition on an aviation product. The European Aviation Safety Agency (EASA), the Technical Agent for France, with which we have a bilateral agreement, states in the MCAI:

> This Emergency Airworthiness Directive is issued following several reports of tightening torque loss detected on the main rotor hub (MRH)-to-main rotor mast bolted attachment. These findings were made on EUROCOPTER-assembled attachments with less than 300 operating hours.
>
> A loss of tightening torque on the MRH-to-main rotor mast attachment bolt could lead to loss of the main rotor head.
>
> This AD requires actions that are intended to address the unsafe condition caused by a loss of tightening torque on the MRH attachment bolts.

DATES: This AD becomes effective March 6, 2008.

The Director of the Federal Register approved the incorporation by reference of Eurocopter Emergency Alert Service Bulletin No. 62.00.22 and No. 65.44, both dated April 10, 2006, as of March 6, 2008.

We must receive comments on this AD by April 21, 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 Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the economic 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: Jim Grigg, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Safety Management Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5126, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION:

Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and **Federal Register** requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued an MCAI in the form of EASA EAD No. 2006–0084–E, dated April 11, 2006 (referred to after this as ''the MCAI''), to correct an unsafe condition for these French-certificated products. The MCAI states:

> This Emergency Airworthiness Directive is issued following several reports of tightening torque loss detected on the main rotor hub (MRH)-to-main rotor mast bolted attachment. These findings were made on EUROCOPTER-assembled attachments with less than 300 operating hours.
>
> Misinterpretation of the assembly documentation used by EUROCOPTER Marignane may have led to the assembly of these attachments with no grease applied to the nut threads, which leads to a reduction in the tightening loads.

A loss of tightening torque on the MRH-to-main rotor mast attachment bolt could lead to loss of the main rotor head. You may obtain further information by examining the MCAI and service information in the AD docket.

Relevant Service Information

Eurocopter has issued Alert Service Bulletin (ASB) No. 62.00.22, applicable to Model AS–365N2 and N3, and SA–365N and N1 helicopters, and ASB 65.44, applicable to Model SA–365C, C1, and C2 helicopters, both dated April 10, 2006. The actions described in the MCAI are intended to correct the same unsafe condition as that identified in this service information.

FAA's Determination and Requirements of This AD

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

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. The AD requires ''inspections'' rather than ''checks'' of the tightening torque. It also uses the term ''time-in-service'' rather than ''flying hours''. In making these changes, we do not intend to differ substantively from the information provided in the MCAI.

These differences are highlighted in the ''Differences Between the FAA AD and the MCAI'' section in the AD.

Costs of Compliance

We estimate that this AD will affect 36 helicopters of U.S. registry and that it will take about 4 work hours per helicopter to perform the tightening torque inspections. The average labor rate is $80 per work-hour. Based on these figures, we estimate the total cost for this fleet of helicopters to be $11,520, or $320 per helicopter, assuming there will not be 4 or more adjacent bolts with torque less than 3.2 MdaN.

FAA's Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because of a discovery of certain MRH attachment bolts with too little tightening torque, which could result in loss of the main rotor head, and subsequent loss of control of the helicopter. Therefore, we determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists

for making this amendment effective in fewer than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2008–0164; Directorate Identifier 2007–SW–43–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this 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 AD.

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 AD will not have federalism implications under Executive Order 13132. This AD will 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 AD:

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 an economic evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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:

2008–04–03 Eurocopter: Amendment 39–15375. Docket No. FAA–2008–0164; Directorate Identifier 2007–SW–43–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective on March 6, 2008.

Other Affected ADs

(b) None.

Applicability

(c) This AD applies to Model AS–365N2 and N3, SA–365C, C1 and C2, SA–365N and N1 helicopters, certificated in any category.

Reason

(d) The mandatory continued airworthiness information (MCAI) states:

This Emergency Airworthiness Directive is issued following several reports of tightening torque loss detected on the main rotor hub (MRH)-to-main rotor mast bolted attachment. These findings were made on EUROCOPTER-assembled attachments with less than 300 operating hours.

Misinterpretation of the assembly documentation used by EUROCOPTER Marignane may have led to the assembly of these attachments with no grease applied to the nut threads, which leads to a reduction in the tightening loads.

A loss of tightening torque on the MRH-to-main rotor mast attachment bolt could lead to loss of the main rotor head.

Actions and Compliance

(e) Inspect the tightening torque of the MRH to main rotor mast assembly attachment bolts in accordance with paragraph 2.B. of Eurocopter Alert Service Bulletin (ASB) No. 62.00.22, applicable to Model AS–365N2 and N3, and SA365N and N1 helicopters, or ASB No. 65.44, applicable to Model SA–365C, C1, and C2 helicopters, both dated April 10, 2006, unless already done:

(1) On or before reaching 300 hours TIS, for helicopters with less than 280 hours time-in-service (TIS); or

(2) Within 20 hours TIS, for helicopters with 280 or more hours TIS.

Differences Between the FAA AD and the MCAI

(f) This AD requires ''inspections'' rather than ''checks'' of the tightening torque. It also uses the term ''time-in-service'' rather than ''flying hours''.

Subject

(g) Air Transport Association of America (ATA) Code 5220, Main Rotor Head.

Other Information

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

(1) Alternative Methods of Compliance (AMOCs): The Manager, Safety Management Group, 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 Grigg, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Safety Management Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5126, fax (817) 222–5961.

(2) Airworthy Product: Use only FAA-approved corrective actions. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent) if the State of Design has an appropriate bilateral agreement with the United States. 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

(i) MCAI European Aviation Safety Agency (EASA) AD No. 2006–0084–E, dated April 11, 2006, contains related information.

Material Incorporated by Reference

(j) The Director of the Federal Register approved the incorporation by reference of the service information specified in Table 1 of this AD under 5 U.S.C. 552(a) and 1 CFR part 51.

(k) For service information identified in this AD, contact American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053–4005, telephone (972) 641–3460, fax (972) 641–3527.

(l) You may review copies of the service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go

to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

TABLE 1.—MATERIAL INCORPORATED BY REFERENCE

ASB	Pages	Revision	Date
Eurocopter ASB No. 62.00.22	6 through 8	Revision 0	April 10, 2006.
Eurocopter ASB No. 65.44	6 through 8	Revision 0	April 10, 2006.

Issued in Fort Worth, Texas on February 6, 2008.

Scott A. Horn,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. E8–2849 Filed 2–19–08; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0165; Directorate Identifier 2007–SW–58–AD; Amendment 39–15377; AD 2008–04–05]

RIN 2120–AA64

Airworthiness Directives; Eurocopter Deutschland Model EC135 Helicopters

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

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for Eurocopter Deutschland (Eurocopter) Model EC135 helicopters. This 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 European Aviation Safety Agency (EASA), the Technical Agent for the Federal Republic of Germany, with which we have a bilateral agreement, states in the MCAI:

During a flight a burning odour [sic] could be smelled in the cabin. Its reason was a short circuit in the LH cable channel, which was caused by a damaged wire harness. The wire harness was damaged by the side channel cover's attachment hardware.

The rubbing and chafing of the wiring harnesses in the tunnels underneath the channel cover, against the screws and rivets attaching the channel covers, could lead to a short circuit of the wiring harness.

This AD requires actions that are intended to address this unsafe condition by preventing a short circuit resulting from a damaged wiring harness, which could subsequently lead to a fire in the helicopter.

DATES: This AD becomes effective on March 6, 2008.

The Director of the Federal Register approved the incorporation by reference of Eurocopter Alert Service Bulletin EC135–53A–1017, Revision 1, dated June 22, 2007, as of March 6, 2008.

We must receive comments on this AD by April 21, 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.

You may get the service information identified in this AD from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053–4005, telephone (972) 641–3460, fax (972) 641–3527.

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 AD, the economic 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: Carroll Wright, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations and Policy Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5120, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION:

Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and **Federal Register** requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

Discussion

The European Aviation Safety Agency (EASA), which is the technical agent for Member States of the European Community, has issued an MCAI in the form of EASA Emergency AD No. 2007–0021–E, dated January 19, 2007, (referred to after this as ''the MCAI''), to correct an unsafe condition for this German-certificated helicopter. The MCAI states:

During a flight a burning odour [sic] could be smelled in the cabin. Its reason was a short circuit in the LH cable channel, which was caused by a damaged wire harness. The wire harness was damaged by the side channel cover's attachment hardware.

The rubbing and chafing of the wiring harnesses in the tunnels underneath the channel cover, against the screws and rivets attaching the channel covers, could lead to a short circuit of the wiring harness and a subsequent fire in the helicopter.

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

Relevant Service Information

Eurocopter has issued Alert Service Bulletin No. EC135–53A–017, Revision 1, dated June 22, 2007. The actions described in the MCAI are intended to correct the same unsafe condition as