Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2007–0396; Directorate Identifier 2007–NM–282–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A330–200, A330–300, A340–200, and A340–300 Series 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:

One A320 operator has reported a disbond on the composite rudder control rod. Investigations conducted by the supplier revealed that this disbond is due to an incorrect low volume of resin in the fibre composite. The supplier and AIRBUS have confirmed that some rudder control rods installed on A330 and A340–200/–300 aircraft before delivery or delivered as spare are also affected by this defect. Rudder control rod rupture can lead, in the worst case, in combination with a yaw damper runaway to an unsafe condition.

* * * * *

The unsafe condition is reduced control of the airplane. The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

DATES: We must receive comments on this proposed AD by February 11, 2008.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1138; 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–2007–0396; Directorate Identifier 2007–NM–282–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 2007–0246, dated September 5, 2007 (referred to after this as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

One A320 operator has reported a disbond on the composite rudder control rod. Investigations conducted by the supplier revealed that this disbond is due to an incorrect low volume of resin in the fibre composite. The supplier and AIRBUS have confirmed that some rudder control rods installed on A330 and A340–200/–300 aircraft before delivery or delivered as spare are also affected by this defect. Rudder control rod rupture can lead, in the worst case, in combination with a yaw damper runaway to an unsafe condition.

In order to prevent such situation, this Airworthiness Directive (AD) requires a one time detailed visual inspection to identify the affected rods and to replace those affected by this issue.

The unsafe condition is reduced control of the airplane. You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Airbus has issued Service Bulletins A330–27–3157 and A340–27–4156, both dated August 8, 2007. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This Proposed AD

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

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But

we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 8 products of U.S. registry. We also estimate that it would take about 6 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $80 per work-hour. Labor costs may be covered under warranty as described in the service information. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be $3,840, or $480 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:

Airbus: Docket No. FAA–2007–0396; Directorate Identifier 2007–NM–282–AD.

Comments Due Date

(a) We must receive comments by February 11, 2008.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Airbus Model A330–200, A330–300, A340–200, and A340–300 series airplanes, certificated in any category, all certified models, having manufacturing serial numbers (MSNs) as specified in paragraphs (c)(1) and (c)(2) of this AD.

(1) For Model A330–200 and A330–300 series airplanes: MSN 0315, 0323, 0333, 0337, 0338, 0342, 0344, 0346, 0349, 0350, 0351, 0356, 0357, 0370, 0375, 0388, 0389, 0398, 0400, 0404, 0407, 0408, 0412, 0427, 0432, 0454, 0493 and 0539.

(2) For Model A340–200 and A340–300 series airplanes: MSN 0318, 0319, 0321, 0325, 0327, 0329, 0331, 0332, 0335, 0347, 0352, 0354, 0355, 0359, 0363, 0367, 0373, 0374, 0377, 0378, 0379, 0381, 0385, 0387, 0390, 0395, 0399, 0411, 0413, 0415, 0433, 0434, 0435, 0450 and 0474.

Subject

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

Reason

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

One A320 operator has reported a disbond on the composite rudder control rod. Investigations conducted by the supplier revealed that this disbond is due to an incorrect low volume of resin in the fibre composite. The supplier and AIRBUS have confirmed that some rudder control rods installed on A330 and A340–200/–300 aircraft before delivery or delivered as spare are also affected by this defect. Rudder control rod rupture can lead, in the worst case, in combination with a yaw damper runaway to an unsafe condition.

In order to prevent such situation, this Airworthiness Directive (AD) requires a one time detailed visual inspection to identify the affected rods and to replace those affected by this issue.

The unsafe condition is reduced control of the airplane.

Actions and Compliance

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

(1) Within 600 flight hours after the effective date of this AD, identify the part number (P/N) and serial number (S/N) of all rudder control rods installed on the subject airplanes; in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330–27–3157 or A340–27–4156, both dated August 8, 2007, as applicable.

(2) If the P/N and S/N of any rudder control rod identified in paragraph (f)(1) of this AD is not identified in Batch 1, Batch 2a, or Batch 2b of Figure 3 of Airbus Service Bulletin A330–27–3157 or A340–27–4156, both dated August 8, 2007, no further action is required for that control rod, except as provided by paragraph (f)(6) of this AD.

(3) If the P/N and S/N of any rudder control rod identified in paragraph (f)(1) of this AD is identified in Batch 1 of Figure 3 of Airbus Service Bulletin A330–27–3157 or A340–27–4156, both dated August 8, 2007: Within 18 months after the identification required by paragraph (f)(1) of this AD, replace the affected rudder control rod with a new rudder control rod, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330–27–3157 or A340–27–4156, as applicable.

(4) If the P/N and S/N of any rudder control rod identified in paragraph (f)(1) of this AD is identified in Batch 2a of Figure 3 of Airbus Service Bulletin A330–27–3157 or A340–27–4156, both dated August 8, 2007: Within 1,400 flight hours after the identification required by paragraph (f)(1) of this AD, replace the affected control rod with a new rudder control rod, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330–27–3157 or A340–27–4156, as applicable.

(5) If the P/N and S/N of any rudder control rod identified in paragraph (f)(1) of this AD is identified in Batch 2b of Figure 3 of Airbus Service Bulletin A330–27–3157 or A340–27–4156, both dated August 8, 2007, do the actions described in paragraph (f)(5)(i) or (f)(5)(ii) of this AD, as applicable, at the compliance time specified in paragraph (f)(5)(i) or (f)(5)(ii), as applicable.

(i) For any rudder control rod having P/N 22205–08 and S/N 1000094651: Within 600

flight hours after the identification required by paragraph (f)(1) of this AD, replace the rudder control rod with a new rudder control rod, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330–27–3157 or A340–27–4156, both dated August 8, 2007, as applicable.

(ii) For all rudder control rods not identified in paragraph (f)(5)(i) of this AD: Within 6 months after the identification required by paragraph (f)(1) of this AD, replace the rudder control rods with new rudder control rods, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A330–27–3157 or A340–27–4156, both dated August 8, 2007, as applicable.

(6) As of the effective date of this AD, no person may install, on any airplane, any rudder control rod unit having a P/N and S/N identified in Batch 1, Batch 2a, or Batch 2b of Figure 3 of Airbus Service Bulletin A330–27–3157 or A340–27–4156, both dated August 8, 2007.

FAA AD Differences

Note: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

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

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1138; 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 EASA Airworthiness Directive 2007–0246, dated September 5, 2007; Airbus Service Bulletin A330–27–3157, dated August 8, 2007; and Airbus Service Bulletin A340–27–4156, dated August 8, 2007; for related information.

Issued in Renton, Washington, on December 21, 2007.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8–250 Filed 1–9–08; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2007–0393; Directorate Identifier 2007–NM–183–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 777 Airplanes

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

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Boeing Model 777 airplanes. This proposed AD would require an inspection to determine the manufacturer and manufacture date of the oxygen masks in the center and outboard passenger service units (PSUs), crew rests, and lavatory and flight attendant oxygen boxes, as applicable. This proposed AD would also require related investigative/corrective actions if necessary. This proposed AD results from a report that several passenger masks with broken in-line flow indicators were found following a mask deployment. We are proposing this AD to prevent the in-line flow indicators of the passenger oxygen masks from fracturing and separating, which could inhibit oxygen flow to the masks and consequently result in exposure of the passengers and cabin attendants to hypoxia following a depressurization event.

DATES: We must receive comments on this proposed AD by February 25, 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.

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: Susan Letcher, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6474; 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–2007–0393; Directorate Identifier 2007–NM–183–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 have received a report indicating that several passenger masks with broken in-line flow indicators were found following a mask deployment on a Boeing Model 777–200 series airplane. Operators subsequently found several more broken in-line flow indicators after examining the oxygen mask assemblies on other Model 777 series airplanes and on Model 747–400 series airplanes.