

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA-2024-1484; Project Identifier MCAI-2023-00968-A; Amendment 39-22834; AD 2024-17-09]

RIN 2120-AA64

**Airworthiness Directives; Embraer S.A. Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Embraer S.A. (Embraer) Model EMB-505 airplanes. This AD was prompted by analysis of the left-hand (LH) refreshment center and LH forward cabinet that identified the need for installing structural reinforcements. This AD requires installing structural reinforcements as specified in an Agência Nacional de Aviação Civil (ANAC) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective November 12, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 12, 2024.

**ADDRESSES:**

*AD Docket:* You may examine the AD docket at *regulations.gov* under Docket No. FAA-2024-1484; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

*Material Incorporated by Reference:*

- For ANAC material identified in this AD, contact ANAC, Continuing Airworthiness Technical Branch (GTAC), Rua Doutor Orlando Feirabend

Filho, 230—Centro Empresarial Aquarius—Torre B—Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246-190—São José dos Campos—SP, Brazil; phone: 55 (12) 3203-6600; email: *pac@anac.gov.br*; website: *anac.gov.br/en/*. You may find this material on the ANAC website at *sistemas.anac.gov.br/certificacao/DA/DAE.asp*. It is also available at *regulations.gov* under Docket No. FAA-2024-1484.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222-5110. It is also available at *regulations.gov* under Docket No. FAA-2024-1484.

**FOR FURTHER INFORMATION CONTACT:** Jim Rutherford, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (816) 329-4165; email: *jim.rutherford@faa.gov*.

**SUPPLEMENTARY INFORMATION:**

**Background**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain serial-numbered Embraer Model EMB-505 airplanes. The NPRM published in the **Federal Register** on June 20, 2024 (89 FR 51853). The NPRM was prompted by ANAC AD 2023-07-01, effective August 10, 2023, as corrected by ANAC Airworthiness Directive Errata, effective August 10, 2023 (ANAC AD 2023-07-01) (also referred to as the MCAI) issued by National Civil Aviation Agency of Brazil, which is the aviation authority for Brazil. The MCAI states that analysis identified that the LH refreshment center and LH forward cabinet might not withstand the loads expected for specific emergency landing conditions, which may cause the detachment of mass items and cause injuries to the airplane occupants. In addition, the MCAI includes errata to correct a printing error in the original English version of the MCAI. The MCAI requires installing structural reinforcements.

In the NPRM, the FAA proposed to require installing structural reinforcements, as specified in ANAC AD 2023-07-01. The FAA is issuing

this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA-2024-1484.

**Discussion of Final Airworthiness Directive**

**Comments**

The FAA received no comments on the NPRM or on the determination of the costs.

**Conclusion**

These products have been approved by the aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. This AD is adopted as proposed in the NPRM.

**Material Incorporated by Reference Under 1 CFR Part 51**

The FAA reviewed ANAC AD 2023-07-01, which specifies procedures for installing structural reinforcements.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

**Differences Between This AD and the MCAI**

The material specified in ANAC AD 2023-07-01 allows the use of alternative or similar parts in place of the ones specified in the kits, provided these alternative or similar parts are approved by Embraer, but this AD requires approval from either the Manager, International Validation Branch, FAA; ANAC; or ANAC's authorized Designee.

**Costs of Compliance**

The FAA estimates that this AD affects 229 airplanes of U.S. registry.

The FAA estimates the following costs to comply with this AD:

**ESTIMATED COSTS**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Install structural reinforcements .....	11 work-hours × \$85 per hour = \$935 .....	\$1,600	\$2,535	\$580,515

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected operators.

#### 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.

The FAA is 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

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 that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, 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.

#### List of Subjects in 14 CFR Part 39

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

#### 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 airworthiness directive:

**2024-17-09 Embraer S.A.:** Amendment 39-22834; Docket No. FAA-2024-1484; Project Identifier MCAI-2023-00968-A.

#### (a) Effective Date

This airworthiness directive (AD) is effective November 12, 2024.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Embraer S.A. Model EMB-505 airplanes, certificated in any category, as identified in Agência Nacional de Aviação Civil (ANAC) AD 2023-07-01, effective August 10, 2023, as corrected by ANAC Airworthiness Directive Errata, effective August 10, 2023 (ANAC AD 2023-07-01).

#### (d) Subject

Joint Aircraft System Component (JASC) Code 2500, Cabin Equipment/Furnishings.

#### (e) Unsafe Condition

This AD was prompted by an analysis that the left-hand (LH) refreshment center and LH forward cabinet might not withstand the loads expected for specific emergency landing conditions. The FAA is issuing this AD to address the possibility of detachment of mass items during specific emergency landing conditions. The unsafe condition, if not addressed, could result in injuries to the airplane occupants.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Required Actions

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, ANAC AD 2023-07-01.

#### (h) Exceptions to ANAC AD 2023-07-01

(1) Where ANAC AD 2023-07-01 refers to its effective date, this AD requires using the effective date of this AD.

(2) Although the material referenced in ANAC AD 2023-07-01 allows the use of alternative or similar parts in place of the ones specified in the kits provided, this AD requires that alternative or similar parts be approved by the Manager, International Validation Branch, FAA; ANAC; or ANAC's authorized Designee. If approved by the ANAC Designee, the approval must include the Designee's authorized signature.

(3) Where the material referenced in ANAC AD 2023-07-01 specifies to "discard" certain parts, for this AD replace that text with "remove from service."

(4) This AD does not adopt paragraphs (c) and (d) of ANAC AD 2023-07-01.

#### (i) No Reporting Requirement

Although the material referenced in ANAC AD 2023-07-01 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

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

The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, mail it to the address identified in paragraph (k) of this AD or email to: [AMOC@faa.gov](mailto:AMOC@faa.gov). If mailing information, also submit information by email. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local Flight Standards District Office/certificate holding district office.

#### (k) Additional Information

For more information about this AD, contact Jim Rutherford, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (816) 329-4165; email: [jim.rutherford@faa.gov](mailto:jim.rutherford@faa.gov).

#### (l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Agência Nacional de Aviação Civil (ANAC) AD 2023-07-01, effective August 10, 2023, as corrected by ANAC Airworthiness Directive Errata, effective August 10, 2023.

(ii) [Reserved]

(3) For ANAC material identified in this AD, contact ANAC, Continuing Airworthiness Technical Branch (GTAC), Rua Doutor Orlando Feirabend Filho, 230—Centro Empresarial Aquarius—Torre B—Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246-190—São José dos Campos—SP, Brazil; phone: 55 (12) 3203-6600; email: [pac@anac.gov.br](mailto:pac@anac.gov.br); website: [anac.gov.br/en/](http://anac.gov.br/en/). You may find this material on the ANAC website at [sistemas.anac.gov.br/certificacao/DA/DAE.asp](http://sistemas.anac.gov.br/certificacao/DA/DAE.asp).

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222-5110.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit [www.archives.gov/federal-register/cfr/ibr-locations](http://www.archives.gov/federal-register/cfr/ibr-locations) or email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov).

Issued on October 3, 2024.

**Steven W. Thompson,**

*Acting Deputy Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2024–23248 Filed 10–7–24; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2024–0517; Airspace Docket No. 23–AGL–41]

RIN 2120–AA66

### Amendment of Very High Frequency Omnidirectional Range (VOR) Federal Airways V–233 and V–420; Gaylord, MI

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Very High Frequency Omnidirectional Range (VOR) Federal Airways V–233 and V–420 in the vicinity of Gaylord, MI. The FAA is taking this action due to the planned decommissioning of the VOR portion of the Gaylord, MI (GLR), VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The Gaylord VOR is being decommissioned as part of the FAA’s VOR Minimum Operational Network (MON) program.

**DATES:** Effective date 0901 UTC, December 26, 2024. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

**ADDRESSES:** A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at [www.regulations.gov](http://www.regulations.gov) using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11J, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 600 Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

**FOR FURTHER INFORMATION CONTACT:** Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 600

Independence Avenue SW, Washington, DC 20597; telephone: (202) 267–8783.

#### SUPPLEMENTARY INFORMATION:

##### Authority for This Rulemaking

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the National Airspace System (NAS) as necessary to preserve the safe and efficient flow of air traffic.

##### History

The FAA published a notice of proposed rulemaking for Docket No. FAA–2024–0517 in the **Federal Register** (89 FR 18854; March 15, 2024), proposing to amend VOR Federal Airways V–233 and V–420 in the vicinity of Gaylord, MI, due to the planned decommissioning of the VOR portion of the Gaylord, MI, VOR/DME NAVAID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

##### Incorporation by Reference

VOR Federal Airways are published in paragraph 6010(a) of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11J, dated July 31, 2024, and effective September 15, 2024. FAA Order JO 7400.11J is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11J lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

##### The Rule

This action amends 14 CFR part 71 by amending VOR Federal Airways V–233 and V–420 due to the planned decommissioning of the VOR portion of the Gaylord, MI, VOR/DME. The airway actions are described below.

V–233: V–233 extends between the Spinner, IL (SPI), VOR/Tactical Air

Navigation (VORTAC) and the Roberts, IL (RBS), VOR/DME; and between the Mount Pleasant, MI (MOP), VOR/DME and the Pellston, MI (PLN), VORTAC. The airway segment between the Mount Pleasant VOR/DME and the Pellston VORTAC is removed. As amended, the airway is changed to now extend between the Spinner VORTAC and the Roberts VOR/DME.

V–420: V–420 extends between the Green Bay, WI (GRB), VORTAC and the Alpena, MI (APN), VORTAC. The airway segment between the Traverse City, MI (TVC), VOR/DME and the Alpena VORTAC is removed. As amended, the airway is changed to now extend between the Green Bay VORTAC and the Traverse City VOR/DME.

The NAVAID radials listed in the V–233 description in the regulatory text of this final rule are unchanged and stated in degrees True north.

##### Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

##### Environmental Review

The FAA has determined that this action amending VOR Federal Airways V–233 and V–420, due to the planned decommissioning of the VOR portions of the Gaylord, MI, VOR/DME NAVAID, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points); and paragraph 5–6.5i,