

comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$100 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$3,120, or \$260 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:

**328 Support Services GMBH (Formerly Avcraft Aerospace GmbH):** Docket No. FAA-2008-0297; Directorate Identifier 2007-NM-330-AD.

#### Comments Due Date

(a) We must receive comments by April 14, 2008.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to all Dornier Model 328-100 airplanes, certificated in any category.

#### Subject

(d) Air Transport Association (ATA) of America Code 55: Stabilizers.

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states: During maintenance water has been found in the elevator assembly. The unsafe condition is water or ice accumulating in the elevator assembly, which could result in corrosion and consequent reduced structural integrity of the flight control surface, or an unbalanced flight control surface. These conditions could result in reduced controllability of the airplane.

#### Actions and Compliance

(f) Within 90 days after the effective date of this AD, unless already done, do the following actions. Install a drain hole in the lower skin of the left and right-hand elevator horns in accordance with the Accomplishment Instructions of Avcraft Dornier Service Bulletin SB-328-55-450, Revision 1, dated November 19, 2003.

#### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: Although the MCAI or service information specifies a compliance time for installing the drain hole within 23 days, paragraph (f) of this AD requires that the installation be done within 90 days after the effective date of the AD.

#### 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, 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: Dan Rodina, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2125; 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 German Airworthiness Directive D-2004-004, dated January 8, 2004, and Avcraft Dornier Service Bulletin SB-328-55-450, Revision 1, dated November 19, 2003, for related information.

Issued in Renton, Washington, on March 3, 2008.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E8-4996 Filed 3-12-08; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2008-0275; Directorate Identifier 2007-NM-335-AD]**

**RIN 2120-AA64**

#### **Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 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:

Cracks have been found in the propeller blades and propeller hubs, for which ongoing controlling actions issued by the propeller TC [type certificate] holder (McCauley Propeller Systems) have been mandated by FAA Airworthiness Directive (AD) action.

Current FAA ADs related to this subject are 2003-17-10 (which superseded AD 2003-15-01), 2004-23-16, 2005-24-08 and 2006-15-13.

Cracking of the blade or hub can ultimately lead to blade release with potentially catastrophic consequences. \* \* \*

\* \* \* \* \*

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 April 14, 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:

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-2008-0275; Directorate Identifier 2007-NM-335-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 2007-0268, dated October 8, 2007 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Cracks have been found in the propeller blades and propeller hubs, for which ongoing controlling actions issued by the propeller TC [type certificate] holder (McCauley Propeller Systems) have been mandated by FAA Airworthiness Directive (AD) action.

Current FAA ADs related to this subject are 2003-17-10 (which superseded AD 2003-15-01), 2004-23-16, 2005-24-08 and 2006-15-13.

Cracking of the blade or hub can ultimately lead to blade release with potentially catastrophic consequences. BAE Systems has concluded that safety margins can be further improved by introducing operating limitations that will prevent damaging stresses in the propeller assembly, instructing flight crews to place the propeller condition levers in the Flight position during all ground maneuvering.

EASA concurs with this conclusion and this AD therefore requires the replacement of the Propeller Limitations Placard with a new one.

Corrective actions include revising the airplane flight manual. You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

BAE Systems (Operations) Limited has issued Service Bulletin J41-11-027, dated March 29, 2007; General Amendment G12, approved January 2007, to the Jetstream 4100 Series Airplane Flight Manual (AFM); and Advance Amendment Bulletin No. 13,

approved April 4, 2007, to the Jetstream 4100 Series AFM. 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 7 products of U.S. registry. We also estimate that it would take about 2 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$25 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$1,295, or \$185 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-2008-0275; Directorate Identifier 2007-NM-335-AD.

#### Comments Due Date

(a) We must receive comments by April 14, 2008.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to BAE Systems (Operations) Limited (Jetstream) Model 4101 airplanes, all serial numbers, certificated in any category.

#### Subject

(d) Air Transport Association (ATA) of America Code 11: Placards and Markings.

#### Reason

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

Cracks have been found in the propeller blades and propeller hubs, for which ongoing controlling actions issued by the propeller TC [type certificate] holder (McCauley Propeller Systems) have been mandated by FAA Airworthiness Directive (AD) action.

Current FAA ADs related to this subject are 2003-17-10 (which superseded AD 2003-15-01), 2004-23-16, 2005-24-08 and 2006-15-13.

Cracking of the blade or hub can ultimately lead to blade release with potentially catastrophic consequences. BAE Systems has concluded that safety margins can be further improved by introducing operating limitations that will prevent damaging stresses in the propeller assembly, instructing flight crews to place the propeller condition levers in the Flight position during all ground maneuvering.

EASA concurs with this conclusion and this AD therefore requires the replacement of the Propeller Limitations Placard with a new one.

Corrective actions include revising the airplane flight manual.

#### Actions and Compliance

(f) Within 90 days after the effective date of this AD, unless already done, do the following actions.

(1) Replace the existing Propeller Limitations Placard in the cockpit with a new placard, in accordance with the Accomplishment Instructions of BAE Systems (Operations) Limited Service Bulletin J41-11-027, dated March 29, 2007.

(2) Revise the BAE Jetstream Series 4100 Airplane Flight Manual (AFM) to include the information in BAE Jetstream Series 4100 General Amendment G12, approved January 2007, and BAE Jetstream Series 4100 Advance Amendment Bulletin No. 13, approved April 4, 2007. General Amendment G12 describes a rolling take-off technique and the reduced possibility of landing with ice contaminating the wings, and adds a Gross Height/Pressure Altitude Conversion Chart. Advance Amendment Bulletin No. 13 introduces procedures for placing the propeller condition levers in the Flight

position during all ground maneuvering. Operate the airplane according to the procedures in General Amendment G12 and Advance Amendment Bulletin No. 13.

**Note 1:** This may be done by inserting copies of General Amendment G12 and Advance Amendment Bulletin No. 13 into the AFM. When General Amendment G12 and Advance Amendment Bulletin No. 13 have been included in general revisions of the AFM, the general revisions may be inserted in the AFM, provided the relevant information in the general revision is identical to that in General Amendment G12 and Advance Amendment Bulletin No. 13.

#### FAA AD Differences

**Note 2:** This AD differs from the MCAI and/or service information as follows: No differences.

#### Other FAA AD Provisions

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

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, 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: Todd Thompson, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 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 EASA Airworthiness Directive 2007-0268, dated October 8, 2007; BAE Systems (Operations) Limited Service Bulletin J41-11-027, dated March 29, 2007; BAE Jetstream Series 4100 General Amendment G12, approved January 2007, to the Jetstream 4100 Series Airplane Flight Manual; and Advance Amendment Bulletin No. 13, approved April 4, 2007, to the Jetstream 4100 Series Airplane Flight Manual; for related information.

Issued in Renton, Washington, on March 3, 2008.

Ali Bahrami,

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. E8-5000 Filed 3-12-08; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-27011; Directorate Identifier 2006-NM-175-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes

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

**ACTION:** Supplemental notice of proposed rulemaking (NPRM); reopening of comment period.

**SUMMARY:** The FAA is revising an earlier NPRM for an airworthiness directive (AD) that applies to all Airbus Model A318, A319, A320, and A321 airplanes. The original NPRM would have superseded an existing AD that currently requires inspecting to determine the part number and serial number of the fuel tank boost pumps and, for airplanes with affected pumps, revising the airplane flight manual (AFM) and the FAA-approved maintenance program. The existing AD also provides for optional terminating action for compliance with the revisions to the AFM and the maintenance program. The original NPRM proposed to require modifying or replacing the fuel tank boost pumps, which would terminate the AFM limitations and the maintenance program revisions. The original NPRM resulted from a report that a fuel tank boost pump failed in service, due to a detached screw of the boost pump housing that created a short circuit between the stator and rotor of the boost pump motor and tripped a circuit breaker. This new action revises the original NPRM by excluding certain modified airplanes from the applicability, requiring the AFM/maintenance program revisions on additional airplanes, and requiring modification or replacement of additional fuel tank boost pumps. We are proposing this supplemental NPRM to prevent electrical arcing in the fuel tank boost pump motor, which, in the presence of a combustible air-fuel mixture in the pump, could result in an explosion and loss of the airplane.

**DATES:** We must receive comments on this supplemental NPRM by April 7, 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 Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France.

#### 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:** Tim Dulin, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2141; 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-2007-27011; Directorate Identifier 2006-NM-175-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://](http://www.regulations.gov)

[www.regulations.gov](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 FAA issued a notice of proposed rulemaking (NPRM) (the "original NPRM") to amend 14 CFR part 39 to include an AD that supersedes AD 2006-12-02, amendment 39-14626 (71 FR 34814, June 16, 2006). The existing AD applies to all Airbus Model A318, A319, A320, and A321 airplanes. The original NPRM was published in the **Federal Register** on January 25, 2007 (72 FR 3371). The original NPRM proposed to retain the existing AD's requirements (identifying airplanes with certain fuel tank boost pumps and, for those airplanes, revising the airplane flight manual (AFM) and maintenance program, with optional terminating action). The original NPRM also proposed to require modifying or replacing the fuel tank boost pumps, which would terminate the AFM limitations and maintenance program revisions.

#### Actions Since Original NPRM Was Issued

Since we issued the original NPRM, the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has notified us that the unsafe condition could exist on airplanes with any Type 8410 fuel pump having part number (P/N) 568-1-27202-001, -002, or -005. (The original NPRM would have applied only to airplanes with Type 8410 fuel pumps having P/N 568-1-27202-005 with serial number 6137 and subsequent.)

#### Relevant Service Information

Airbus has issued Service Bulletin A320-28-1159, dated January 8, 2007. The service bulletin describes procedures for determining the type and part number of the fuel pumps, and for modifying or replacing certain fuel pumps. Accomplishing the actions specified in the service information is intended to adequately address the unsafe condition. The EASA mandated the service information and issued airworthiness directive 2007-0218, dated August 10, 2007, to ensure the continued airworthiness of these airplanes in the European Union.

The service bulletin refers to EATON Service Bulletin 8410-28-05, dated October 2, 2006, as an additional source of service information for the actions associated with the modification.