

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

Ali Bahrami,

Manager, Transport Airplane Directorate,
Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2008-0291; Directorate Identifier 2008-CE-019-AD; Amendment 39-15429; AD 2008-06-17]

RIN 2120-AA64

Airworthiness Directives; PILATUS AIRCRAFT LTD. Models PC-12, PC-12/45, and PC-12/47 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Some operators have reported occurrences where the rear stick-pusher cable clamp shifted forward on the elevator cable. This condition, if not corrected, may reduce the effectiveness of the stick-pusher and/or limit elevator control movement.

This AD requires actions that are intended to address the unsafe condition described in the MCAI.

DATES: This AD becomes effective April 2, 2008.

On April 2, 2008, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

We must receive comments on this 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 W12-140, 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 Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this 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:

Doug Rudolph, Aerospace Engineer, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329-4059; *fax:* (816) 329-4090.

SUPPLEMENTARY INFORMATION:

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD No: 2008-0047, dated February 28, 2008 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Some operators have reported occurrences where the rear stick-pusher cable clamp shifted forward on the elevator cable. This condition, if not corrected, may reduce the effectiveness of the stick-pusher and/or limit elevator control movement.

For the reason described above, this Airworthiness Directive (AD) requires the inspection of the stick-pusher servo-cables for correct installation, position and tension and replacement of the discrepant parts.

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

Relevant Service Information

PILATUS AIRCRAFT LTD. (Pilatus) has issued PC-12 Service Bulletin No. 27-018, dated November 27, 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 the 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 this State of Design Authority, they have notified us

of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all information provided by the State of Design Authority and determined the 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 have also required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are described in a separate paragraph of the AD. These requirements take precedence over those copied from the MCAI.

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 Pilatus has confirmed four occurrences of the rear stick-pusher cable shifting forward on the elevator cable. Although all malfunction cases occurred on the ground, it cannot be excluded that flight may be attempted with a slack stick-pusher cable. If this condition happens, it could result in reduced effectiveness of the stick pusher and/or limit elevator control, affecting notification of the pilot of upcoming stall and controllability of the airplane. 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-2008-0291; Directorate Identifier 2008-CE-019-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 that this AD:

- (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) 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 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:

2008-06-17 PILATUS AIRCRAFT LTD.:
Amendment 39-15429; Docket No. FAA-2008-0291; Directorate Identifier 2008-CE-019-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective April 2, 2008.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Models PC-12, PC-12/45, and PC-12/47 airplanes, all serial numbers, certificated in any category.

Subject

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

Reason

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

Some operators have reported occurrences where the rear stick-pusher cable clamp shifted forward on the elevator cable. This condition, if not corrected, may reduce the effectiveness of the stick-pusher and/or limit elevator control movement.

For the reason described above, this Airworthiness Directive (AD) requires the inspection of the stick-pusher servo-cables for correct installation, position and tension and replacement of the discrepant parts.

Actions and Compliance

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

(1) Within the next 20 hours time-in-service (TIS) after the effective date of this AD or within the next 20 days after the effective date of this AD, whichever occurs first, inspect the stick-pusher servo-cables for correct installation, position, and tension following paragraph 3.B.(1) of PILATUS AIRCRAFT LTD. PC-12 Service Bulletin No. 27-018, dated November 27, 2007.

(2) If during the inspection required in paragraph (f)(1) of this AD you find any incorrectly installed or positioned stick-pusher servo cables, before further flight adjust the stick-pusher servo cable tension as

necessary following paragraph 3.B.(2) of PILATUS AIRCRAFT LTD. PC-12 Service Bulletin No. 27-018, dated November 27, 2007.

(3) If during the inspection required in paragraph (f)(1) of this AD you find incorrect tension and/or indications that the stick-pusher servo-cables have moved in the cable clamps, before further flight replace the affected parts following paragraph 3.B.(4) of PILATUS AIRCRAFT LTD. PC-12 Service Bulletin No. 27-018, dated November 27, 2007.

(4) If during the inspection required in paragraph (f)(1) of this AD you find no signs that the stick-pusher servo-cables have moved in the cable clamps, before further flight replace the nuts, washers, and bolts following paragraph 3.B.(5) of PILATUS AIRCRAFT LTD. PC-12 Service Bulletin No. 27-018, dated November 27, 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, Standards Office, 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: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4059; fax: (816) 329-4090.* 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 (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

Related Information

(h) Refer to MCAI European Aviation Safety Agency (EASA) AD No: 2008-0047, dated February 28, 2008; and PILATUS AIRCRAFT LTD. PC-12 Service Bulletin No. 27-018, dated November 27, 2007, for related information.

Material Incorporated by Reference

(i) You must use PILATUS AIRCRAFT LTD. PC-12 Service Bulletin No. 27-018, dated November 27, 2007, to do the actions required by this AD, unless the AD specifies otherwise.

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

(2) For service information identified in this AD, contact PILATUS AIRCRAFT LTD., Customer Service Manager, CH-6371 STANS, Switzerland; telephone: +41 (0)41 619 62 08; fax: +41 (0)41 619 73 11; e-mail: SupportPC12@pilatus-aircraft.com.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; 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>.

Issued in Kansas City, Missouri on March 5, 2008.

David R. Showers,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8-5008 Filed 3-12-08; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[TD 9380]

RIN 1545-BC45

Substitute for Return; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to final regulations and removal of temporary regulations.

SUMMARY: This document corrects final regulations and removal of temporary regulations (TD 9380) that was published in the **Federal Register** on Wednesday, February 20, 2008 (73 FR 9188), relating to substitutes for returns.

DATES: The correction is effective March 13, 2008.

FOR FURTHER INFORMATION CONTACT: Alicia E. Goldstein at (202) 622-3630 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations and removal of temporary regulations, (TD 9380) that is the subject of this correction is under section 6020 of the Internal Revenue Code.

Need for Correction

As published, TD contains errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the publication of final regulations and removal of temporary regulations (TD 9380) that were the subject of FR. Doc. E8-3100, are corrected as follows:

1. On page 9188, in the preamble, column 2, under the paragraph heading "Background", first full paragraph of the column, line 17, the language "prompted the IRS and the Treasury" is corrected to read "prompted the Service and the Treasury".

2. On page 9188, in the preamble, column 2, under the paragraph heading "Background", second full paragraph of the column, line 1, the language "The IRS and the Treasury Department" is corrected to read "The Service and the Treasury Department".

3. On page 9188, in the preamble, column 3, under the paragraph heading "Explanation of Provisions and Summary of Comments", second full paragraph of the column, line 12, the language "taxpayer; and because the IRS was" is corrected to read "taxpayer, and because the Service was".

4. On page 9188, in the preamble, column 3, under the paragraph heading "Explanation of Provisions and Summary of Comments", lines 1 through 6, the language "After considering these comments, the IRS and the Treasury Department have concluded that they provide no basis for adopting changes in the final regulations. In particular, the argument that the IRS should not be able to decide" is corrected to read "After considering these comments, the Service and the Treasury Department have concluded that they provide no basis for adopting changes in the final regulations. In particular, the argument that the Service should not be able to decide".

LaNita Van Dyke,

Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. E8-4863 Filed 3-12-08; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2007-1074, FRL-8537-9]

Partial Removal of Direct Final Rule Revising the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District and San Joaquin Valley Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Partial removal of direct final rule.

SUMMARY: On January 2, 2008 (73 FR 48), EPA published a direct final approval of revisions to the California State Implementation Plan (SIP). These revisions concerned local rules that address circumvention, reduction of animal matter, and volatile organic compound (VOC) emissions from gasoline bulk storage tanks, gasoline filling stations, petroleum refinery equipment, and petroleum solvent dry cleaning. The direct final action was published without prior proposal because EPA anticipated no adverse comment. The direct final rule stated that if adverse comments were received by February 1, 2008, EPA would publish a timely removal in the **Federal Register**. EPA received a timely adverse comment. Consequently, with this revision we are removing the direct final approval of SJVAPCD Rules 4104, 4402, 4404, 4453, 4454, 4625, 4641, and 4672. EPA will either address the comments in a subsequent final action based on the parallel proposal also published on January 2, 2008 (73 FR 48) or repropose an alternative action. As stated in the parallel proposal, EPA will not institute a second comment period on a subsequent final action. The other rules, MBUAPCD Rules 415, 418, and 1002, approved in the January 2, 2008 direct final action, are not affected by this removal and are incorporated into the SIP as of the original effective date of March 3, 2008.

DATES: The addition of 40 CFR 52.220(c)(351)(i)(C) published at 73 FR 48 on (January 2, 2008) is removed effective March 13, 2008.

ADDRESSES: EPA has established docket number EPA-R09-OAR-2007-1074 for this action. The index to the docket is available electronically at <http://www.regulations.gov> and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, CA. While all documents in the docket are listed in the index, some information may be publicly