

by adding the following new airworthiness directive (AD):

**Boeing:** Docket No. FAA-2007-0270;  
Directorate Identifier 2007-NM-211-AD.

#### Comments Due Date

(a) The FAA must receive comments on this AD action by January 31, 2008.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Boeing Model 757-200, -200PF, and -200CB series airplanes, certificated in any category; as identified in Boeing Special Attention Service Bulletin 757-53-0077, Revision 1, dated August 6, 2007.

#### Unsafe Condition

(d) This AD results from reports indicating that bonded skin panels may not have been correctly anodized in phosphoric acid before the tear strap doubler was bonded to the skin. We are issuing this AD to detect and correct a weak bond between the skin and tear strap. Such disbonding could reduce the ability of the skin to resist cracks and could adversely affect the structural integrity of the airplane.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Initial Inspection

(f) At the applicable initial compliance time in paragraph (f)(1) or (f)(2) of this AD, do an external ultrasound inspection for disbonded tear straps not mechanically fastened to the skin between stations 439 to 900, and 1180 to 1621, and between stringers 10 left and 10 right, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 757-53-0077, Revision 1, dated August 6, 2007.

(1) For airplanes with less than or equal to 21,000 total flight cycles: Before the accumulation of 24,000 total flight cycles, but no earlier than 18,000 total flight cycles.

(2) For airplanes with more than 21,000 total flight cycles: Within 3,000 flight cycles after the effective date of this AD.

#### Repetitive Inspection

(g) If no disbonding is found during the ultrasound inspection required by paragraph (f) of this AD, repeat the inspection once before 36,000 total flight cycles, but no earlier than 30,000 total flight cycles.

#### Related Investigative and Corrective Actions

(h) If any disbonding is found during the ultrasound inspection required by paragraph (f) or (g) of this AD, do the applicable related investigative and corrective actions by accomplishing all the actions specified in the Accomplishment Instructions of Boeing Special Attention Service Bulletin 757-53-0077, Revision 1, dated August 6, 2007, at the applicable compliance time specified in 1.E., "Compliance," of the service bulletin; except as provided by paragraph (i) of this AD.

(i) If any crack and/or corrosion is found during any inspection required by this AD,

and Boeing Special Attention Service Bulletin 757-53-0077, Revision 1, dated August 6, 2007, specifies to contact Boeing for appropriate action: Before further flight, repair the crack and/or corrosion using a method approved in accordance with the procedures specified in paragraph (j) of this AD.

#### Alternative Methods of Compliance (AMOCs)

(j)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. 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.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by an Authorized Representative for the Boeing Commercial Airplanes Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

Issued in Renton, Washington, on December 7, 2007.

#### Ali Bahrami,

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. E7-24383 Filed 12-14-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-0349; Directorate Identifier 2007-CE-094-AD]

RIN 2120-AA64

#### Airworthiness Directives; EADS SOCATA Model TBM 700 Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above that would supersede an existing AD. 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:

A non-respect of the pilot door adjustment procedure could have damaged the stop fitting and could result in a consequent depressurization 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 January 16, 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, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

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:

Albert J. Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4119; facsimile: (816) 329-4090.

#### 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-2007-0349; Directorate Identifier 2007-CE-094-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://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

On February 6, 2007, we issued AD 2007-04-08, Amendment 39-14939 (72 FR 7559 February 16, 2007). That AD required actions intended to address an unsafe condition on the products listed above.

Since we issued AD 2007-04-08, EADS SOCATA TBM Aircraft Mandatory Service Bulletin SB 70-131, Amendment 1, dated June 2007, was issued, which adds a procedure in the replacement of the stop fittings.

The Direction générale de l'aviation civile (DGAC), which is the aviation authority for France, has issued AD No. F-2007-016, October 10, 2007 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

A non-respect of the pilot door adjustment procedure could have damaged the stop fitting and could result in a consequent depressurization of the airplane.

This proposed AD requires you to inspect the pilot door locking stop fittings for correct length and replace any incorrect length pilot door locking stop fittings found.

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

### Relevant Service Information

EADS SOCATA has issued TBM Aircraft Mandatory Service Bulletin SB 70-131, Amendment 1, dated June 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 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 this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all

information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

### Differences Between This Proposed 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 157 products of U.S. registry. We also estimate that it would take about 4.5 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 \$15 per product. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$58,875, or \$375 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 removing Amendment 39-14939 (72 FR 7559, February 16, 2007), and adding the following new AD:

**EADS SOCATA:** Docket No. FAA-2007-0349; Directorate Identifier 2007-CE-094-AD.

#### Comments Due Date

(a) We must receive comments by January 16, 2008.

#### Affected ADs

(b) AD 2007-04-08, Amendment 39-14939.

#### Applicability

(c) This AD applies to Model TBM 700 airplanes, serial numbers 126 through 322, that are:

- (1) equipped with a pilot door; and
- (2) certificated in any category.

#### Subject

(d) Air Transport Association of America (ATA) Code 53: Fuselage.

#### Reason

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

A non-respect of the pilot door adjustment procedure could have damaged the stop fitting and could result in a consequent depressurization of the airplane.

This AD requires you to inspect the pilot door locking stop fittings for correct length and replace any incorrect length pilot door locking stop fittings found.

#### Requirements Retained From AD 2007-04-08

(f) Unless already done, inspect the pilot door locking stop-fittings for correct length within 30 days after March 23, 2007 (the effective date of AD 2007-04-08). Do the inspection following EADS SOCATA TBM Aircraft Mandatory Service Bulletin SB 70-131, dated July 2005, or EADS SOCATA TBM Aircraft Mandatory Service Bulletin SB 70-131, Amendment 1, dated June 2007.

#### New Requirements of This AD: Actions and Compliance

(g) Do the following actions, unless already done:

(1) Any incorrect length pilot door locking stop-fittings replaced following the inspection required in paragraph (f) of this AD in accordance with AD 2007-04-08, using the original issue of EADS SOCATA TBM Aircraft Mandatory Service Bulletin SB 70-131, dated July 2005, must be replaced again within the next 12 months after the effective date of this AD. Do the replacement using EADS SOCATA TBM Aircraft Mandatory Service Bulletin SB 70-131, Amendment 1, dated June 2007.

(2) Any incorrect length pilot door locking stop-fittings found during the inspection required in paragraph (f) of this AD and not previously replaced in accordance with AD 2007-04-08, must be replaced before further flight. Do the replacement using EADS SOCATA TBM Aircraft Mandatory Service Bulletin SB 70-131, Amendment 1, dated June 2007.

#### FAA AD Differences

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

#### Other FAA AD Provisions

(h) 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: Albert Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4119; 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.

#### Special Flight Permit

(i) If you have ordered parts and they are not available, then you may fly unpressurized until parts become available or for a period not to exceed 90 days after the inspection required in paragraph (f) of this AD, whichever occurs first. You must also fabricate and install a placard as described below. Completing the action of paragraph (g)(2) of this AD terminates the placard requirement.

(1) Fabricate (using letters at least 1/8 inch in height) a warning placard that states "This airplane is prohibited from pressurized flight."

(2) Install the placard in full view of the pilot. The owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7) may install the placard as required in paragraph (h) of this AD.

#### Related Information

(j) Refer to MCAI Direction generale de l'aviation civile (DGAC) AD No. F-2007-016, October 10, 2007; and EADS SOCATA TBM Aircraft Mandatory Service Bulletin SB 70-131, Amendment 1, dated June 2007, for related information.

Issued in Kansas City, Missouri, on December 11, 2007.

**John R. Colomy,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E7-24321 Filed 12-14-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2007-0338; Directorate Identifier 2007-NM-139-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135BJ, -135ER, -135KE, -135KL, -135LR, -145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to supersede an existing airworthiness directive (AD) that applies to all EMBRAER Model EMB-135BJ, -135ER, -135KE, -135KL, -135LR, -145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP airplanes. The existing AD currently requires reviewing the airplane maintenance records for recent reports of vibration from the tail section or rudder pedals. The existing AD also currently requires repetitively inspecting the skin, attachment fittings, and control rods of rudder II to detect cracking, loose parts, wear, or damage; and related investigative/corrective actions if necessary. This proposed AD would require the existing repetitive inspection to be done with new service information. This proposed AD also would require replacing the locking tab washers on the control rods of the rudder II and installing springs on the hinge assemblies of the rudder II, which would terminate the repetitive inspection requirements. This proposed AD results from reports of rudder vibration due to wear. We are proposing this AD to prevent failure of the rudder control rods, which could result in jamming of the rudder II, and possible structural failure and reduced controllability of the airplane.

**DATES:** We must receive comments on this proposed AD by January 16, 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 Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil.

#### 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