part number of the ailerons. For airplanes with affected aileron part numbers, the proposed AD would have required reworking the aileron damper fitting, and for certain airplanes, replacing the rod end of the aileron damper assembly with an improved rod end. Since the proposed AD was issued, we have received new data indicating that there is no unsafe condition associated with structural failure of the rod end of the aileron damper. Accordingly, the proposed AD is withdrawn.

ADDRESSES: You may examine the AD docket on the Internet at *http://dms.dot.gov,* or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647–5227) is located on the plaza level of the Nassif Building at the U.S. Department of Transportation, 400 Seventh Street, SW., Room PL–401, Washington, DC. This docket number is FAA–2006–23673; the directorate identifier for this docket is 2005–NM–233–AD.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–1175; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We proposed to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) with a notice of proposed rulemaking (NPRM) for a new AD for all EMBRAER Model EMB–135 and EMB–145, –145ER, –145MR, –145LR, –145XR, –145MP, and –145EP airplanes. That NPRM was published in the **Federal Register** on January 25, 2006 (71 FR 4067). The NPRM would have required inspecting to determine the part number of the ailerons. For airplanes with affected aileron part numbers, the NPRM would have required reworking the aileron damper fitting. Also, for certain airplanes, the NPRM would have required replacing the rod end of the aileron damper assembly with an improved rod end. The NPRM resulted from reports of structural failure of the rod end of the aileron damper, which was caused by insufficient clearance between the lugs of the aileron damper fitting and the rod end of the aileron damper. The proposed actions were intended to prevent failure of the aileron damper, which could result in failure of the aileron actuator and consequent reduced controllability of the airplane.

Comments

EMBRAER requests that we withdraw the NPRM. EMBRAER points out that the unsafe condition stated in the NPRM (failure of the aileron damper, which could result in failure of the aileron actuator and consequent reduced controllability of the airplane) is incorrect. While the NPRM was intended to address reports of structural failure of the rod end of the aileron damper, there is no unsafe condition caused by such a failure. The aileron damper was introduced to improve safety by increasing redundancy: the aileron damper prevents vibration of the aileron surface in the event of failure of both rods of the aileron power control actuator (PCA). Failure of the rod end of the aileron damper and subsequent failure of the aileron damper will not cause vibration of the aileron surface.

Further, while failure of the rod ends of the aileron PCA could result in reduced controllability of the airplane, this unsafe condition is already addressed by another action. EMBRAER notes that the FAA has previously issued AD 99–05–04 (64 FR 13894, March 23, 1999). That AD requires inspections to detect and correct cracking or failure of the rod ends of the aileron PCA on all EMBRAER Model EMB–145 series airplanes.

EMBRAER further states that repetitive inspections of the aileron damper rod ends and fitting lugs for integrity and general condition are specified as a Certification Maintenance Requirement (for Model EMB–135 airplanes) and a System Inspection Requirement (for Model EMB–145 airplanes). The failures of the aileron damper rod ends that prompted the NRPM were discovered during inspections performed under these requirements.

We agree with the commenter's request to withdraw the NPRM. EMBRAER Service Bulletin 145–27–0108, Revision 01, dated April 28, 2005, which the NPRM references as the appropriate source of service information for the required actions, was issued to correct insufficient clearance between the lugs of the aileron damper fitting and the rod end of the aileron damper. We have coordinated with EMBRAER and have determined that the actions in that service bulletin are not intended to address an unsafe condition. Doing those actions may provide an economic benefit to operators by preventing the need for an expensive repair in the event that damage is detected during routine inspections. Since there is no unsafe condition, the proposed AD is unnecessary.

FAA's Conclusions

Upon further consideration, we have determined that there is no unsafe condition associated with structural failure of the rod end of the aileron damper. Accordingly, the NPRM is withdrawn.

Withdrawal of the NPRM does not preclude the FAA from issuing another related action or commit the FAA to any course of action in the future.

Regulatory Impact

Since this action only withdraws an NPRM, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, we withdraw the NPRM, Docket No. FAA–2006–23673, Directorate Identifier 2005–NM–233–AD, which was published in the **Federal Register** on January 25, 2006 (71 FR 4067).

Issued in Renton, Washington, on April 28, 2006.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E6–7015 Filed 5–8–06; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2006–24092; Directorate Identifier 2006–CE–18–AD]

RIN 2120–AA64

Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–6, PC–6–H1, PC–6–H2, PC–6/350, PC–6/350–H1, PC–6/350–H2, PC–6/A, PC–6/A–H1, PC–6/A–H2, PC–6/B–H2, PC–6/B1–H2, PC–6/B2–H2, PC–6/B2–H4, PC–6/C–H2, and PC–6/C1–H2 Airplanes

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

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2003–09–01, which applies to Pilatus Aircraft Ltd (Pilatus) Model PC–6 airplanes, all manufacturer serial numbers (MSN) up to and including 939. AD 2003–09–01 currently requires you to inspect and correct, as necessary, the aileron control bellcrank assemblies at the wing and fuselage locations. Since we issued AD 2003–09–01, the FAA determined the action should also apply to all the models of the PC–6 airplanes listed in the type certification data sheet of Type Certificate (TC) No. 7A15 that are produced in the United States through a licensing agreement between Pilatus and Fairchild Republic Company (also identified as Fairchild Industries, Fairchild Heli Porter, or Fairchild-Hiller Corporation). In addition, the intent of the applicability of AD 2003–09–01 was to all the affected serial numbers of the airplane models listed in TC No. 7A15. Consequently, this proposed AD would retain all the actions of AD 2003–09–01, would add those Fairchild Republic Company airplanes to the applicability of this proposed AD, and would list out the individual specific airplane models. We are proposing this AD to detect and correct increased friction in the aileron control bellcrank assemblies, which could result in failure of the aileron flight-control system. Such failure could lead to problems in controlling flight.

DATES: We must receive comments on this proposed AD by June 9, 2006.

ADDRESSES: Use one of the following addresses to comment on this proposed AD:

- DOT Docket Web site: Go to *http://dms.dot.gov* and follow the instructions for sending your comments electronically.
- Government-wide rulemaking Web site: Go to *http://www.regulations.gov* and follow the instructions for sending your comments electronically.
- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001.
- Fax: (202) 493–2251.
- Hand Delivery: Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Pilatus Aircraft Ltd., Customer Liaison Manager, CH–6371 Stans, Switzerland; telephone: +41 41 619 63 19; facsimile: +41 41 619 6224.

FOR FURTHER INFORMATION CONTACT: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; facsimile: (816) 329–4090.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments regarding this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number, ''FAA–2006–24092; Directorate Identifier 2006–CE–18–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to *http://dms.dot.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive concerning this proposed AD.

Discussion

Mandatory continuing airworthiness information and the FAA's determination that an unsafe condition existed on a Pilatus Model PC–6 airplane caused us to issue AD 2003–09–01, Amendment 39–13130 (68 FR 22582, April 29, 2003). AD 2003–09–01 currently requires you to inspect and correct, as necessary, the aileron control bellcrank assemblies at the wing and fuselage locations on Pilatus Model PC–6 airplanes.

The Federal Office for Civil Aviation (FOCA), which is the airworthiness authority for Switzerland, notified the FAA of the need to supersede AD 2003–09–01 to address an unsafe condition that may exist or could develop on Model PC–6 airplanes, all manufacturer serial numbers (MSN) up to and including 939. The FOCA reports that the AD action should also apply to all the models of the PC–6 airplanes listed in the type certification data sheet of TC No. 7A15 produced in the United States through a licensing agreement between Pilatus and Fairchild Republic Company (also identified as Fairchild Industries, Fairchild Heli Porter, or Fairchild-Hiller Corporation).

This condition, if not corrected, could result in increased friction in the aileron control bellcrank assemblies, which could result in failure of the aileron flight-control system. Such failure could lead to problems in controlling flight.

Foreign Airworthiness Authority Information

The FOCA recently issued Swiss AD Number HB 2005–289, effective date August 23, 2005, to ensure the continued airworthiness of all models of the PC–6 airplanes listed in TC No. 7A15, including those produced in the United States under a licensing agreement with Pilatus and Fairchild Republic Company (also identified as Fairchild Industries, Fairchild Heli Porter, or Fairchild-Hiller Corporation).

The State of Design for the Pilatus PC–6 airplanes is Switzerland and the airplanes are type-certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement.

Under this bilateral airworthiness agreement, the FOCA has kept us informed of the situation described above.

FAA's Determination and Requirements of the Proposed AD

We are proposing this AD because we have examined the FOCA's findings, evaluated all information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design that are certificated for operation in the United States.

This proposed AD would supersede AD 2003–09–01 with a new AD that would retain all the actions of AD 2003–09–01 and would:

- Add manufacturer serial numbers (MSN) 2001 through 2092 for all the models of the PC–6 airplanes as listed in TC No. 7A15 and specified in the applicability section. These MSN are the airplanes produced in the United States through a licensing agreement with the Fairchild Republic Company; and
- List all the models of the PC–6 airplanes as listed in TC No. 7A15.

Costs of Compliance

We estimate that this proposed AD would affect 49 airplanes in the U.S. registry.

We estimate the following costs to do the proposed inspection and modifications:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
7 work hours × $80 per hour = $560	$300	$860	$860 × 49 = $42,140.

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 have 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 that the 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.

Examining the AD Docket

You may examine the AD docket that contains the proposed AD, the regulatory evaluation, any comments received, and other information on the Internet at *http://dms.dot.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647–5227) is located at the street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

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 Airworthiness Directive (AD) 2003–09–01, Amendment 39–13130, and adding the following new AD:

Pilatus Aircraft LTD.: Docket No. FAA–2006–24092; Directorate Identifier 2006–CE–18–AD.

Comments Due Date

(a) We must receive comments on this airworthiness directive (AD) action by June 9, 2006.

Affected ADs

(b) This AD supersedes AD 2003–09–01, Amendment 39–13130.

Applicability

(c) This AD affects the following Models PC–6, PC–6–H1, PC–6–H2, PC–6/350, PC–6/350–H1, PC–6/350–H2, PC–6/A, PC–6/A–H1, PC–6/A–H2, PC–6/B–H2, PC–6/B1–H2, PC–6/B2–H2, PC–6/B2–H4, PC–6/C–H2, and PC–6/C1–H2 airplanes that are equipped with turbo-prop engines and are certificated in any category:

(1) *Group 1* (maintains the actions from AD 2003–09–01): All manufacturer serial numbers (MSN) up to and including 939.

(2) *Group 2:* MSN 2001 through 2092.

Note: These airplanes are also identified as Fairchild Republic Company PC–6 airplanes, Fairchild Heli Porter PC–6 airplanes, or Fairchild-Hiller Corporation PC–6 airplanes.

Unsafe Condition

(d) This AD results from mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Switzerland that requires retaining the actions of AD 2003–09–01 and adding MSN 2001 through 2092 for all the models of the PC–6 airplanes listed in the type certificate data sheet of Type Certificate (TC) No. 7A15. We are issuing this AD to detect and correct increased friction in the aileron control bellcrank assemblies, which could result in failure of the aileron flight-control system. Such failure could lead to problems in controlling flight.

Compliance

(e) To address this problem, you must do the following:

Actions	Compliance	Procedures
(1) Inspect, before removal of the wing bellcrank assemblies, part numbers (P/N) 6132.0071.51 and 6132.0071.52, for installed circlips, P/N N237: (i) If circlips are installed, do the actions required in paragraphs (e)(5) and (e)(6) of this AD. (ii) If circlips are not installed, perform all actions required by paragraphs (e)(3), (e)(4), (e)(5), (e)(6), and (e)(7) of this AD.	(A) *For Group 1 Airplanes:* Within the next 100 hours time-in-service (TIS) after June 17, 2003 (the effective date of AD 2003–09–01), unless already done. (B) *For Group 2 Airplanes:* Within the next 100 hours TIS after the effective date of this AD, unless already done.	Follow Pilatus Aircraft Ltd. PC–6 Service Bulletin No. 27–001, dated June 5, 2002.

Actions	Compliance	Procedures
(2) Inspect, before removal of the fuselage bellcrank assembly, P/N 6232.0118.00, for the circlip installed on the housing to prevent axial movement of the bellcrank on its bearing and the flange of the housing to the rear. If the fuselage bellcrank assembly has either no circlip and/or it is not installed as required, perform the actions in paragraphs (e)(8) and (e)(9) of this AD.	Before further flight after the inspection required in paragraph (e)(1) of this AD.	Follow Pilatus Aircraft Ltd. PC–6 Service Bulletin No. 27–001, dated June 5, 2002.
(3) Remove the wing bellcrank assemblies, P/Ns 6132.0071.51 and 6132.0071.52, and inspect for worn or damaged bearings. Replace worn or damaged bearings.	Before further flight after the inspections required in paragraphs (e)(1) and (e)(2) of this AD, as applicable.	Follow Pilatus Aircraft Ltd. PC–6 Service Bulletin No. 27–001, dated June 5, 2002.
(4) Stake and lock the bearing in the housing of the wing bellcranks, P/Ns 6132.0071.51 and 6132.0071.52.	Before further flight after the inspections required in paragraphs (e)(1) and (e)(2) of this AD, as applicable.	Follow Pilatus Aircraft Ltd. PC–6 Service Bulletin No. 27–001, dated June 5, 2002.
(5) Inspect the wing bellcranks control-cable attachment bolts for correct type and for signs of rub damage on the heads. Replace bolts that are damaged and/or have a total length (including head) of more than 21.5 mm (0.85 in.)	Before further flight after the inspections required in paragraphs (e)(1) and (e)(2) of this AD.	Follow Pilatus Aircraft Ltd. PC–6 Service Bulletin No. 27–001, dated June 5, 2002.
(6) Inspect the wing bellcranks support plate for signs of rub damage caused by the bolts. If damage is found: (i) Obtain a repair scheme from the manufacturer through FAA at the address specified in paragraph (f) of this AD. (ii) Incorporate this repair scheme.	Before further flight after the inspections required in paragraphs (e)(1) and (e)(2) of this AD.	Follow Pilatus Aircraft Ltd. PC–6 Service Bulletin No. 27–001, dated June 5, 2002.
(7) Reinstall wing bellcrank assemblies	Before further flight after the inspections required in paragraphs (e)(1) and (e)(2) of this AD.	Follow Pilatus Aircraft Ltd. PC–6 Service Bulletin No. 27–001, dated June 5, 2002.
(8) Remove the fuselage bellcrank assembly, P/N 6232.0118.00, and inspect the housing for wear, damage, and signs of axial movement of the bearing in the housing. Replace worn or damaged bearings. If any signs of axial movement of a bearing are found: (i) Obtain a repair scheme from the manufacturer through FAA at the address specified in paragraph (f) of this AD. (ii) Incorporate this repair scheme.	Before further flight after the inspections required in paragraphs (e)(1) and (e)(2) of this AD.	Follow Pilatus Aircraft Ltd. PC–6 Service Bulletin No. 27–001, dated June 5, 2002.
(9) Reinstall the fuselage bellcrank assembly. Ensure that the fuselage bellcrank assembly is installed so that the surface of the bellcrank with the flange of the housing is installed to the rear. The effect of this is to lock the bellcrank on the bearing tube and thus prevent movement.	Before further flight after the inspections required in paragraphs (e)(1), (e)(2) and (e)(8) of this AD.	Follow Pilatus Aircraft Ltd. PC–6 Service Bulletin No. 27–001, dated June 5, 2002.
(10) Do not install any bellcrank assemblies, P/Ns 6132.0071.51, 6132,0071.52, and 6232.0118.00 (or FAA-approved equivalent part numbers), unless the aileron assembly has been inspected, modified, and installed.	(A) *For Group 1 Airplanes:* As of June 17, 2003 (the effective date of AD 2003–09–01). (B) *For Group 2 Airplanes:* As of the effective date of this AD.	Follow Pilatus Aircraft Ltd. PC–6 Service Bulletin No. 27–001, dated June 5, 2002.

Note 1: Axial movement of serviceable bearings in the housings of the wing bellcranks is permitted provided no wear or damage to the bearing is found.

Note 2: Any signs of axial movement of a bearing in the housing of the fuselage bellcrank assembly requires that you obtain a repair scheme from the manufacturer through FAA at the address specified in paragraph (f) of this AD and incorporate the repair scheme.

Alternative Methods of Compliance (AMOCs)

(f) The Manager, Standards Office, ATTN: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; facsimile: (816) 329–4090, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(g) AMOCs approved for AD 2003–09–01 are approved for this AD.

Related Information

(h) To get copies of the documents referenced in this AD, contact Pilatus Aircraft Ltd., Customer Liaison Manager, CH–6371 Stans, Switzerland; telephone: +41 41 619 63 19; facsimile: +41 41 619 6224. To view the AD docket, go to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC, or on the Internet at *http://dms.dot.gov.* The docket number is Docket No. FAA–2006–24092; Directorate Identifier 2006–CE–18–AD.

Issued in Kansas City, Missouri, on May 3, 2006.

Barry R. Ballenger,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E6–7017 Filed 5–8–06; 8:45 am]

BILLING CODE 4910–13–P