

which Airbus Modifications 28238, 28162, and 28342 were incorporated during production: Within 6 months after March 3, 2005, revise the ALS of the Instructions for Continued Airworthiness in accordance with a method approved by the Manager, International Branch, ANM-116; or the DGAC (or its delegated agent); or the EASA (or its delegated agent). One approved method of compliance is incorporating both Airbus A318/A319/A320/A321 MPD, sub-Section 9-2, "Airworthiness Limitation Items," Revision 06, dated June 13, 2003; and Airbus A318/A319/A320/A321 Airworthiness Limitation Items (ALIs), Document AI/SE-M4/95A.0252/96, Issue 6, dated May 15, 2003 (approved by the DGAC on July 15, 2003).

#### New Requirements of This AD

##### Revise ALS To Incorporate Safe Life ALIs

(h) For all airplanes: Within 3 months after the effective date of this AD, revise the ALS of the Instructions for Continued Airworthiness to incorporate Sub-part 1-2, "Life Limits," and Sub-part 1-3, "Demonstrated Fatigue Lives," of Airbus A318/A319/A320/A321 ALS Part 1—Safe Life Airworthiness Limitation Items, dated February 28, 2006 (hereafter referred to as "ALS Part 1"). Accomplish the actions in ALS Part 1 at the times specified in ALS Part 1, except as provided by paragraph (j) of this AD. For Model A319, A320, and A321 airplanes, accomplishing the revision in this paragraph terminates the requirements of paragraph (f) of this AD.

##### Revise ALS To Incorporate Damage-Tolerant ALIs

(i) For all airplanes, except Model A319 airplanes on which Airbus Modifications 28238, 28162, and 28342 have been incorporated in production: Within 14 days after the effective date of this AD, revise the ALS of the Instructions for Continued Airworthiness to incorporate Airbus A318/A319/A320/A321 Airworthiness Limitation Items, Document AI/SE-M4/95A.0252/96, Issue 7, dated December 2005 (approved by the EASA on February 7, 2006) (hereafter referred to as "Issue 7 of the ALI"). Accomplish the actions in Issue 7 of the ALI at the times specified in Issue 7 of the ALI, except as provided by paragraph (j) of this AD. For Model A319, A320, and A321 airplanes, accomplishing the revision in this paragraph terminates the requirements of paragraph (g) of this AD.

##### Grace Period for New or More Restrictive Actions

(j) For any new of more restrictive life limit introduced with ALS Part 1, replace the part at the time specified in ALS Part 1 or within 6 months after the effective date of this AD, whichever is later. For any new or more restrictive inspection introduced with Issue 7 of the ALI, do the inspection at the time specified in Issue 7 of the ALI or within 6 months after the effective date of this AD, whichever is later.

##### No Alternative Life Limits, Inspections, or Inspection Intervals

(k) After the actions specified in paragraphs (h) and (i) of this AD have been

accomplished, no alternative life limits, inspections, or inspection intervals may be used, except as provided by paragraphs (j) and (l) of this AD.

#### Alternative Methods of Compliance (AMOCs)

(l)(1) The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

#### Related Information

(m) EASA airworthiness directive 2006-0162, dated June 8, 2006; and EASA airworthiness direction 2006-0165, dated June 13, 2006; also address the subject of this AD.

Issued in Renton, Washington, on January 12, 2007.

#### Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7-1205 Filed 1-25-07; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-27013; Directorate Identifier 2006-NM-236-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200, and A340-300 Series 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. This proposed AD results from mandatory continuing airworthiness information (MCAI) issued 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 fatigue damage with a crack propagation through the fastener line of the wing shroud box bottom panel, resulting in panel detachment and potential injuries to persons on the ground. 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 February 26, 2007.

**ADDRESSES:** You may send comments by any of the following methods:

- *DOT Docket Web Site:* Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- *Fax:* (202) 493-2251.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- *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.

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

#### Examining the AD Docket

You may examine the AD docket 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 AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5227) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Tim Backman, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2797; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and **Federal Register** requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This proposed AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The proposed AD contains text copied from the MCAI and for this

reason might not follow our plain language principles.

### 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-2007-27013; Directorate Identifier 2006-NM-236-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://dms.dot.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 aviation authority for the European Union, has issued EASA Airworthiness Directive 2006-0107, dated May 12, 2006 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states that an A330 operator has reported a shroud box bottom panel missing during routine inspection. The same panel detached from an A330 aircraft during take-off, causing damages to the surrounding structure and to the Trimmable Horizontal Stabilizer (THS) tip fairing. Preliminary inspection has shown that the blind rivets used to attach the panel worked loose causing the panel to suffer fatigue damage with a crack propagation through the fastener line resulting in panel detachment. To avoid potential injuries to persons on ground, the EASA airworthiness directive mandates a one time detailed visual inspection of the shroud box bottom panel for cracks in the panel and for missing and loose fasteners, and repair if necessary. You may obtain further information by examining the MCAI in the AD docket.

### Relevant Service Information

Airbus has issued Service Bulletins A330-57A3092 and A340-57A4101, both dated February 3, 2006. 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 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 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 also have proposed 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 proposed AD. These requirements, if ultimately adopted, will take precedence over the actions copied from the MCAI.

### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 27 products of U.S. registry. We also estimate that it would take about 2 work-hours per product to comply with this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$4,320, or \$160 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:

**Airbus:** Docket No. FAA-2007-27013; Directorate Identifier 2006-NM-236-AD.

#### Comments Due Date

- (a) We must receive comments by February 26, 2007.

#### Affected ADs

- (b) None.

#### Applicability

- (c) This AD applies to Airbus Model A330-200, A330-300, A340-200, and A340-300

series airplanes, all certified models, all serial numbers, certificated in any category, on which Airbus modification 42061 or 46077 or 53604 has been embodied in production and delivered before December 31, 2005.

#### Reason

(d) The mandatory continuing airworthiness information (MCAI) states that an A330 operator has reported a shroud box bottom panel missing during routine inspection. The same panel detached from an A330 aircraft during take-off, causing damages to the surrounding structure and to the Trimmable Horizontal Stabilizer (THS) tip fairing. Preliminary inspection has shown that the blind rivets used to attach the panel worked loose causing the panel to suffer fatigue damage with a crack propagation through the fastener line resulting in panel detachment. To avoid potential injuries to persons on ground, the MCAI requires a one time detailed visual inspection of the shroud box bottom panel for cracks in the panel and for missing and loose fasteners, and applicable repairs.

#### Actions and Compliance

(e) Unless already done, do the following actions. Within the threshold specified in paragraphs (e)(1) and (e)(2) of this AD and in accordance with the instructions of Airbus Service Bulletin A330-57A3792, dated February 3, 2006; or Airbus Service Bulletin A340-57A4101, dated February 3, 2006; as applicable: Perform a one time detailed inspection of the shroud box bottom panel for cracks, fasteners missing or loose, damage, and marks; and apply all applicable corrective actions. Do applicable corrective actions before further flight. The inspections results, whatever they are, must be reported to Airbus.

(1) For Model A330 airplanes: Whichever occurs later between paragraphs (e)(1)(i) and (e)(1)(ii) of this AD.

(i) Prior to the accumulation of 1,200 flight cycles or 2,400 flight hours from the first flight of the aircraft, whichever occurs first.

(ii) Within 6 months or 1,200 flight hours, whichever occurs first, following the effective date of this AD.

(2) For Model A340-200 and A340-300 series airplanes: Whichever occurs later between paragraphs (e)(2)(i) and (e)(2)(ii) of this AD.

(i) Prior to the accumulation of 1,200 flight cycles or 4,800 flight hours from the first flight of the aircraft, whichever occurs first.

(ii) Within 6 months or 2,400 flight hours, whichever occurs first, following the effective date of this AD.

#### Other FAA AD Provisions

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

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, Attn: Tim Backman, Aerospace Engineer, 1601 Lind Avenue, SW., Renton, Washington 98057-3356, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Before using any AMOC approved in accordance with § 39.19 on any airplane

to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

(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

(g) Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2006-0107, dated May 12, 2006, and Airbus Service Bulletins A330-57A3092 and A340-57A4101, both dated February 3, 2006, for related information.

Issued in Renton, Washington, on January 12, 2007.

**Ali Bahrami,**

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

[FR Doc. E7-1210 Filed 1-25-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 14 CFR Parts 135 and 298

[Docket OST-2007-27057]

RIN 2105-AD66

#### Consumer Information Regarding On-Demand Air Taxi Operations

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Advance Notice of Proposed Rulemaking (ANPRM).

**SUMMARY:** The Department of Transportation (Department) is seeking input from interested parties on the recommendation of the National Transportation Safety Board (Safety Board or NTSB) that customers of on-demand air taxi services be advised, at the time they contract for a flight, of: (1) The name of the company with operational control of the flight; (2) any "doing business as" names contained in such company's Operations Specifications; (3) the name of the aircraft owner; and (4) the name of any broker involved in arranging the flight. The NTSB has also recommended that customers be updated thereafter in the event such information changes. The Department will evaluate the comments

to determine what, if any, changes to its economic rules applicable to on-demand air taxi operators should be made.

**DATES:** Comments should be received by March 27, 2007.

**ADDRESSES:** You may submit comments (identified by the DOT DMS Docket Number) by any of the following methods:

- *Web site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- *Fax:* 1-202-493-2251.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- *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.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the Supplementary Information section of this document. Note that all comments received will be posted without change to <http://dms.dot.gov>, including any personal information provided. Please see the Privacy Act discussion under the Public Participation heading.

*Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to 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.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Dols, Supervisory Trial