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 Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

Boeing: Docket No. FAA–2007–29069; Directorate Identifier 2007–NM–176–AD.

Comments Due Date

(a) The FAA must receive comments on this AD action by October 15, 2007.

Affected ADs

(b) None.

Applicability

(c) This AD applies to all Boeing Model 737–100, –200, and –200C series airplanes, certificated in any category.

Unsafe Condition

(d) This AD results from a report of incidents involving fatigue cracking and corrosion in transport category airplanes that are approaching or have exceeded their design service objective. We are issuing this AD to maintain the continued structural integrity of the entire fleet of Model 737–100, –200, and –200C series airplanes.

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.

Service Information

(f) The term ''Revision E,'' as used in this AD, means Boeing Document No. D6–37089, ''Supplemental Structural Inspection Document for Model 737–100/200/200C Airplanes,'' Revision E, dated May 2007.

(g) The term ''Appendix,'' as used in this AD, means ''Appendix A Model 737–100/200/200C Airplanes,'' Original Release, dated May 2007, of Revision E.

Revision of the FAA-Approved Maintenance Inspection Program

(h) Before the accumulation of 66,000 total flight cycles, or within 12 months after the effective date of this AD, whichever occurs later, incorporate a revision into the FAA-approved maintenance inspection program that provides no less than the required damage tolerance rating (DTR) for each structural significant item (SSI) listed in Section 3.0, ''Flap and Support Structure (Flap Structure) SSI Information,'' of Appendix A. (The required DTR value for each SSI is listed in the Appendix.) The revision to the maintenance inspection program must include and must be implemented in accordance with the procedures in Section 3.0 of the Appendix, and in accordance with the procedures in Section 5.0, ''Damage Tolerance Rating (DTR) System Application,'' and Section 6.0, ''SSI Discrepancy Reporting'' of Revision E. Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements contained in this AD and has assigned OMB Control Number 2120–0056.

Initial and Repetitive Inspections

(i) Before the accumulation of 66,000 total flight cycles, or within 4,000 flight cycles measured from 12 months after the effective date of this AD, whichever occurs later, do the applicable initial inspections to detect cracks of all SSIs, in accordance with Appendix A. Repeat the applicable inspections thereafter at the intervals necessary to obtain the required DTR specified in Appendix A.

Repair

(j) If any cracked structure is found during any inspection required by paragraph (i) of this AD, before further flight, repair the cracked structure using a method approved in accordance with the procedures specified in paragraph (l) of this AD.

Inspection Program for Transferred Airplanes

(k) Before any airplane that is subject to this AD and that has exceeded the applicable compliance times specified in paragraph (i) of this AD can be added to an air carrier's operations specifications, a program for the accomplishment of the inspections required by this AD must be established in accordance with paragraph (k)(1) or (k)(2) of this AD, as applicable.

(1) For airplanes that have been inspected in accordance with this AD: The inspection of each SSI must be done by the new operator in accordance with the previous operator's schedule and inspection method, or the new operator's schedule and inspection method, at whichever time would result in the earlier accomplishment for that SSI inspection. The compliance time for accomplishment of this inspection must be measured from the last inspection accomplished by the previous operator. After each inspection has been done once, each subsequent inspection must be performed in accordance with the new operator's schedule and inspection method.

(2) For airplanes that have not been inspected in accordance with this AD: The inspection of each SSI required by this AD must be done either before adding the airplane to the air carrier's operations specification, or in accordance with a schedule and an inspection method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA. After each inspection has been done once, each subsequent inspection must be done in accordance with the new operator's schedule.

Alternative Methods of Compliance (AMOCs)

(l)(1) The Manager, Seattle 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 approval must specifically refer to this AD.

Issued in Renton, Washington, on August 17, 2007.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7–17283 Filed 8–30–07; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2007–28431; Directorate Identifier 2007–CE–050–AD]

RIN 2120–AA64

Airworthiness Directives; Alexandria Aircraft, LLC (Type Certificate No. 1A3 and A18CE Formerly Held by Bellanca, Inc.) Models 17–30, 17–31, 17–30A, 17–31A, and 17–31ATC Airplanes

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

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 76–23–03–R1, which applies to certain Alexandria Aircraft, LLC (Bellanca) Models 17–30, 17–31, 17–30A, 17–31A, and 17–31ATC airplanes. AD 76–23–03–R1 currently requires you to inspect the muffler and tailpipe assemblies for cracks and inspect the exhaust assembly for freedom of movement at the ball joints. Since we issued AD 76–23–03–R1, we have received additional reports of in-flight exhaust system failures. Consequently, this proposed AD would reduce the exhaust system inspection

interval; require a more detailed inspection of the muffler; and require replacement, reconditioning, or repair of the exhaust system if cracks or defects are found. This proposed AD would also require rerouting of the magneto ''P'' leads. We are proposing this AD to detect and correct cracks in the exhaust system, which could result in heat damage to magneto electrical wiring and smoke in the cockpit. This failure could lead to loss of engine power and/or a fire in the engine compartment.

DATES: We must receive comments on this proposed AD by October 30, 2007.

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.
- *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.
- *Fax:* (202) 493–2251.
- *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.
- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

For service information identified in this proposed AD, contact Bellanca/Alexandria Aircraft, LLC, 2504 Aga Drive, Alexandria, MN 56308; phone: (320) 763–4088; fax: (320) 763–4095; Internet: *www.bellanca-aircraft.com.*

FOR FURTHER INFORMATION CONTACT: Michael Downs, Aerospace Engineer, ACE–118C, Chicago Aircraft Certification Office, 2300 East Devon Avenue, Room 107, Des Plaines, Illinois 60018, phone: (847) 294–7870, fax: (847) 294–7834.

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–2007–28431; Directorate Identifier 2007–CE–050–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

Several reports of exhaust system failures, which led to smoke in the cockpit and heat damage to components in the engine compartment, on Bellanca Model 17–30 and 17–30A airplanes caused us to issue AD 76–23–03–R1, Amendment 39–5454. AD 76–23–03–R1 currently requires you to do the following on Bellanca 17–30, 17–31, 17–30A, and 17–31A airplanes:

- Visually inspect the muffler and tailpipe assemblies for cracks, paying particular attention to the ball joint welds, the outlets of the muffler and resonator, and the support for the tailpipe assembly; and
- Inspect the exhaust system for freedom of movement at the ball joints by removing the tailpipe support bolts.

Since issuing AD 76–23–03–R1, we have received additional reports of in-flight exhaust system failures. Typically, the muffler fails at the weld which holds the ball joint to the muffler. The hot exhaust gases then escape and melt insulation on the wire bundle that includes the magneto ''P'' leads. When both the left and right magneto ''P'' leads short to ground, the engine stops.

This condition, if not corrected, could lead to loss of engine power and/or a fire in the engine compartment.

Relevant Service Information

We have reviewed Bellanca/Alexandria Aircraft, LLC Service Letter B–110, dated May 8, 2007, and Bellanca/Alexandria Aircraft, LLC drawing SK 1072, dated April 2, 2007.

The service information describes procedures for:

- Inspecting the exhaust system;
- replacing and/or repairing exhaust system parts; and
- rerouting the magneto ''P'' leads.

FAA's Determination and Requirements of the Proposed AD

We are proposing this AD because we evaluated all information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design. This proposed AD would supersede AD 76–23–03 R1 with a new AD that would reduce the exhaust system inspection interval; require a more detailed inspection of the muffler; and require replacement, reconditioning, or repair of the exhaust system if cracks or defects are found. This proposed AD would also require rerouting of the magneto ''P'' leads. This proposed AD would require you to use the service information described previously to perform these actions.

Costs of Compliance

We estimate that this proposed AD would affect 1,350 airplanes in the U.S. registry.

We estimate the proposed inspection of the exhaust system would affect 1,200 airplanes with the following costs:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
4 work-hours × $80 per hour = $320	N/A	$320	$384,000

We estimate the proposed rerouting of the magneto ''P'' wires would affect 1,050 airplanes with the following costs:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
4 work-hours × $80 per hour = $320	$500	$820	$861,000

We estimate the following costs to replace the exhaust system based on the results of the proposed inspection. The estimate is based on updating the entire exhaust system to the current production exhaust system. This proposed AD allows other means to do the required repairs/replacement which could cost less. We have no way of determining the number of airplanes that may need this repair/replacement:

Labor cost	Parts cost	Total cost per airplane
8 work-hours × $80 per hour = $640	$4,000	$4,640

The estimated costs represented in the above actions include the costs associated with AD 76–23–03 R1 and the costs of this proposed AD. The added cost impact this AD imposes upon an owner/operator over that already required by AD 76–23–03 R1 is a more detailed inspection which requires more work-hours to accomplish and rerouting of the magneto ''P'' wires on certain models.

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) 76–23–03 R1, Amendment 39–5454, and adding the following new AD:

Alexandria Aircraft, LLC (Type Certificate No. 1A3 and A18CE formerly held by Bellanca, Inc.): Docket No. FAA–2007–28431; Directorate Identifier 2007–CE–050–AD.

Comments Due Date

(a) We must receive comments on this airworthiness directive (AD) action by October 30, 2007.

Affected ADs

(b) This AD supersedes AD 76–23–03 R1, Amendment 39–5454.

Applicability

(c) This AD applies to the following airplane models and serial numbers that are certificated in any category:

Model	Serial numbers
17–30	all serial numbers.
17–30A	30263 through 301030.
17–31	all serial numbers.
17–31A	all serial numbers.
17–31ATC	all serial numbers.

Unsafe Condition

(d) This AD results from several accidents caused by exhaust system failures. We are proposing this AD to detect and correct cracks in the exhaust system, which could result in heat damage to magneto electrical wiring and smoke in the cockpit. This failure could lead to loss of engine power and/or a fire in the engine compartment.

Compliance

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

Actions	Compliance	Procedures
(1) For aircraft models and serial numbers listed below, inspect the exhaust system for cracks or other defects such as excessive wear. (i) Model 17–30, all serial numbers; ..... (ii) Model 17–30A, serial numbers 30263 through 301030;. (iii) Model 17–31, all serial numbers; and .. (iv) Model 17–31A, all serial numbers	Initially within the next 12 months after the effective date of this AD or within 25 hours time-in-service (TIS) after the effective date of this AD, whichever occurs first. Then repetitively thereafter at intervals not to exceed 12 months or 50 hours TIS, whichever occurs first. Accomplishment of the actions in paragraph (e)(2)(i) or (e)(2)(ii) of this AD terminates the recurring inspections required in this paragraph for the replaced/reconditioned exhaust system (left and/or right side)..	Follow Bellanca/Alexandria Aircraft, LLC Service Letter B–110, dated May 8, 2007.
(2) Repair or replace the exhaust system using any of the options listed below. (i) Option #1—replace the entire defective left and/or right muffler and tailpipe assembly(ies) with new parts as specified in Bellanca/Alexandria Aircraft, LLC Service Letter B–110, dated May 8, 2007. (ii) Option #2—replace the entire defective left and/or right muffler and tailpipe assembly(ies) with parts reconditioned to the new parts as specified in Bellanca/Alexandria Aircraft, LLC Service Letter B–110, dated May 8, 2007; or. (iii) Option #3—recondition or repair the defective left and/or right muffler and tailpipe assembly(ies) to their original configuration using FAA-approved methods and materials.	Before further flight after any inspection required in paragraph (e)(1) of this AD where a crack or other defect is found. The actions in paragraph (e)(2)(i) or (e)(2)(ii) of this AD terminates the recurring inspections required in paragraph (e)(1) this AD for the replaced/reconditioned exhaust system (left and/or right side).	Follow Bellanca/Alexandria Aircraft, LLC Service Letter B–110, dated May 8, 2007
(3) For aircraft models and serial numbers listed below that do not have Bellanca/Alexandria Aircraft, LLC Service Kit 1067: Rerouting Right Magneto ''P'' Lead installed, reroute the magneto ''P'' leads. (i) Model 17–30A, serial numbers 30263 through 30998. (ii) Model 17–31A, all serial numbers; and (iii) Model 17–31ATC, all serial numbers ...	Within the next 12 months after the effective date of this AD or within 100 hours TIS after the effective date of this AD, whichever occurs first.	Follow Bellanca/Alexandria Aircraft, LLC Service Kit 1072 instructions located on drawing SK 1072, dated April 2, 2007, as referenced in Bellanca/Alexandria Aircraft, LLC Service Letter B–110, dated May 8, 2007.

Alternative Methods of Compliance (AMOCs)

(f) The Manager, Chicago Aircraft Certification 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: Michael Downs, Aerospace Engineer, ACE–118C, Chicago Aircraft Certification Office, 2300 East Devon Avenue, Room 107, Des Plaines, Illinois 60018; phone: (847) 294–7870; fax: (847) 294–7834. 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.

Related Information

(g) To get copies of the service information referenced in this AD, contact Bellanca/Alexandria Aircraft, LLC, 2504 Aga Drive, Alexandria, MN 56308; phone: (320) 763–4088; fax: (320) 763–4095; Internet: *www.bellanca-aircraft.com.* To view the AD docket, go to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, or on the Internet at *http://dms.dot.gov.* The docket number is Docket No. FAA–2007–28431; Directorate Identifier 2007–CE–050–AD.

Issued in Kansas City, Missouri, on August 24, 2007.

Brian A. Yanez,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7–17289 Filed 8–30–07; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA–2007–28633; Airspace Docket No. 07–ASW–7]

RIN 2120–AA66

Proposed Establishment of Restricted Area 3405; Sullivan, IN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Restricted Area 3405 (R–3405) at Sullivan, IN. The United States (U.S.) Navy requests that the FAA take action to establish R–3405 for the protection of nonparticipating aircraft from a tethered aerostat balloon used to deploy radar, electro-optic, camera, and other sensor packages at Naval Support Activity (NSA) Crane's Glendora Lake Test Facility.

DATES: Comments must be received on or before October 15, 2007.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590; telephone: (202) 366–9826. You must identify FAA Docket No. FAA–2007–28633 and Airspace Docket No. 07–ASW–7, at the beginning of your comments. You may also submit comments through the Internet at *http://dms.dot.gov.*

FOR FURTHER INFORMATION CONTACT: Steve Rohring, Airspace and Rules