

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## CONSUMER PRODUCT SAFETY COMMISSION

### 16 CFR Part 1119

#### Civil Penalty Factors; Withdrawal of Proposed Rule

##### Correction

In proposed rule document E9-20590 beginning on page 43085 in the issue of Wednesday, August 26, 2009 make the following correction:

On page 43085, in the first column, the last paragraph should read “In a forthcoming issue of the **Federal Register**, the Commission is issuing a new interim final rule to interpret the penalty factors pursuant to section 217 of the CPSIA.”

[FR Doc. Z9-20590 Filed 8-31-09; 8:45 am]

BILLING CODE 1505-01-D

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 23

[Docket No. CE299; Notice No. 23-09-03-SC]

#### Special Conditions: Cessna Aircraft Company, Model 525C; High Fuel Temperature

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

**ACTION:** Notice of proposed special conditions.

**SUMMARY:** This notice proposes special conditions for the Cessna Aircraft Company, Model 525C airplane. This airplane will have a novel or unusual design feature(s) associated with high

fuel temperature. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** Comments must be received on or before October 1, 2009.

**ADDRESSES:** Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Regional Counsel, ACE-7, Attention: Rules Docket, Docket No. CE299, 901 Locust, Room 506, Kansas City, Missouri 64106, or delivered in duplicate to the Regional Counsel at the above address. Comments must be marked: CE299.

Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

**FOR FURTHER INFORMATION CONTACT:**

Peter L. Rouse, Federal Aviation Administration, Aircraft Certification Service, Small Airplane Directorate, ACE-111, 901 Locust, Kansas City, Missouri, 816-329-4135, fax 816-329-4090.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested persons are invited to participate in the making of these proposed special conditions by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator. The proposals described in this notice may be changed in light of the comments received. All comments received will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning

this rulemaking will be filed in the docket. Persons wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must include with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to CE299.” The postcard will be date stamped and returned to the commenter.

#### Background

On August 9, 2006, Cessna Aircraft Company applied for an amendment to Type Certificate Number A1WI to include the new model 525C (CJ4). The model 525C (CJ4), which is a derivative of the model 525B (CJ3) currently approved under Type Certificate Number A1WI, is a commuter category, low-winged monoplane with “T” tailed vertical and horizontal stabilizers, retractable tricycle type landing gear and twin turbofan engines mounted on the aircraft fuselage. The maximum takeoff weight is 16,950 pounds, the  $V_{MO}/M_{MO}$  is 305 KIAS/M 0.77 and maximum altitude is 45,000 feet.

The Cessna Model 525C (CJ4) fuel tank system is similar to other Cessna Model 525 designs which use the Williams FJ44 series of engine. The fuel tank system is configured to reject engine heat through the airplane fuel tank system by using an engine oil/fuel heat exchanger. Certified as part of the engine, the engine oil/fuel heat exchanger cools the oil and heats the fuel. Over time the engine manufacturers have optimized the design, size, placement, and space management of the oil/fuel heat exchanger such that today’s engines now reject more heat back into the airplane fuel tank system than has existed in the past. As can be seen by the chart below we are now exposing the fuel tank system and airplane to temperatures above the critical temperature test requirements of §§ 23.961 and 23.965(d), which has been the FAA standard for fuel system hot weather operations and fuel tank test and evaluation since 1951.