eliminates the need for the actions proposed in the NPRM.

FAA's Conclusions

Upon further consideration, we have determined that the unsafe condition still exists, however, we intend to address it with new AD rulemaking. Accordingly, the NPRM (76 FR 5503, February 1, 2011) is withdrawn.

Withdrawal of the NPRM (76 FR 5503, February 1, 2011) 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 (76 FR 5503, February 1, 2011), 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, Incorporation by reference, Safety.

The Withdrawal

Accordingly, we withdraw the NPRM, Docket No. FAA–2011–0033, Directorate Identifier 2010–NM–019–AD, which published in the **Federal Register** on February 1, 2011 (76 FR 5503).

Issued in Renton, Washington, on February 1, 2013.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–09429 Filed 4–19–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0351; Directorate Identifier 2009–SW–049–AD]

RIN 2120–AA64

Airworthiness Directives; Eurocopter France Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for Eurocopter France (Eurocopter) Model AS350B, BA, B1, B2, B3, and D, and Model AS355E, F, F1, F2, and N helicopters with certain tail rotor (T/R) blades. This proposed AD would require installing additional rivets to secure each T/R blade trailing edge tab (tab), and inspecting for evidence of debonding of the tab after the rivets are installed. This proposed AD is prompted by reports of T/R blade tab debonding. The actions specified by this proposed AD are intended to prevent loss of a T/R blade tab, which could result in excessive vibration and loss of control of the helicopter.

DATES: We must receive comments on this proposed AD by June 21, 2013.

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

- *Federal eRulemaking Docket:* Go to *http://www.regulations.gov*. Follow the online instructions for sending your comments electronically.
- *Fax:* 202–493–2251.
- *Mail:* Send comments 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 20590–0001.
- *Hand Delivery:* Deliver to the ''Mail'' address 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 Operations Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

For service information identified in this proposed AD, contact American Eurocopter Corporation, 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641–0000 or (800) 232–0323; fax (972) 641–3775; or at *http://www.eurocopter.com/techpub*. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

FOR FURTHER INFORMATION CONTACT: Gary Roach, Aviation Safety Engineer, Regulations and Policy Group, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222–5110; email *gary.b.roach@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit only one time.

We will file in the docket all comments that we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, we will consider all comments we receive on or before the closing date for comments. We will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. We may change this proposal in light of the comments we receive.

Discussion

The Direction Generale de l'Aviation Civile (DGAC), which is the aviation authority for France, has issued DGAC AD No. F–2004–178, dated November 10, 2004, for the Eurocopter AS 350B, BA, BB, B1, B2, B3, and D helicopters, fitted with certain T/R blades. DGAC has also issued AD No. F–2004–176, dated November 10, 2004, for the Eurocopter Model AS 355E, F, F1, F2, and N helicopters with certain T/R blades. DGAC advises of reports of T/R blade tab debonding, and that the loss of the tab leads to a significant increase in the aircraft's vibration level. As a result, the ADs mandate compliance with the manufacturer's service information to install additional rivets on the tabs.

FAA's Determination

These helicopters have been approved by the aviation authority of France and are approved for operation in the United States. Pursuant to our bilateral agreement with France, the European Aviation Safety Agency, which is the Technical Agent for the Member States of the European Union, has notified us of the unsafe condition described in the DGAC AD. We are proposing this AD because we evaluated all known relevant information and determined that an unsafe condition is likely to

exist or develop on other products of the same type design.

Related Service Information

We reviewed Eurocopter Alert Service Bulletin (ASB) No. 64.00.05, Revision 2, dated February 15, 2007, for Model AS350B, BA, BB, B1, B2, B3, and D helicopters, and ASB No. 64.00.04, Revision 2, dated February 15, 2007, for Model AS355E, F, F1, F2, and N helicopters.

These ASBs specify, within 100 flying hours without exceeding three months, installing additional rivets on T/R blade tabs and inspecting each tab for debonding after the rivets have been installed. DGAC classified these ASBs as mandatory and issued AD No. F–2004–176 and AD No. F2004–178 to ensure the continued airworthiness of these helicopters.

Proposed AD Requirements

This proposed AD would require installing additional rivets on each T/R blade tab and inspecting the tab for debonding. If there is debonding of the tab, this proposed AD would require replacing the tab with an airworthy tab before further flight.

Differences Between This Proposed AD and the DGAC AD

This proposed AD does not include the Model AS350 BB because it does not have an FAA-issued type certificate. This proposed AD requires compliance within 100 hours TIS. The DGAC ADs require compliance within 100 flying hours ''without exceeding 3 months.''

Costs of Compliance

We estimate that this proposed AD affects 654 helicopters of U.S. registry and that labor costs average $85 a work-hour. Based on these estimates, we expect the following costs:

• Installing rivets and inspecting for tab debonding would take one hour for a labor cost of $85. Parts would cost $100 for a total cost of $185 per helicopter. The cost for the U.S. fleet would total $120,990.

• Replacing the tab with an airworthy tab, if needed, would take four hours for a total labor cost of $340. Parts would cost $100, for a total cost of $440 per helicopter.

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, 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);

3. Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction; and

4. 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 an economic 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, Incorporation by reference, 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 airworthiness directive (AD):

Europcopter France (Eurocopter): Docket No. FAA–2013–0351; Directorate Identifier 2009–SW–049–AD.

(a) Applicability

This AD applies to Eurocopter Model AS350B, BA, B1, B2, B3, D, and AS355E, F, F1, F2, and N helicopters with a tail rotor (T/R) blade, part number (P/N) 355A12–0040–00, 355A–12–0040–01, 355A12–0040–02, 355A12–0040–03, 355A–12–0040–04, 355A12–0040–05, 355A–12–0040–07, 355A–12.0040–08, or 355A12–0040–14, all serial numbers (S/N); or P/N 355A12–0050–04, 355A12–0050–10, or 355A12–0050–12, with a S/N 8400 through 9224, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as T/R blade trailing edge tab (tab) debonding. This condition could result in excessive vibration of the helicopter and loss of control of the helicopter.

(c) Comments Due Date

Comments are due June 21, 2013.

(d) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

(e) Required Actions

Within 100 hours time-in-service, install additional rivets on the trailing edge tab of each T/R blade, according to the following procedures, referencing Figure 1 of Eurocopter Alert Service Bulletin (ASB) No. 64.00.05, Revision 2, dated February 15, 2007, or ASB No. 64.00.04, Revision 2, dated February 15, 2007, whichever is applicable to your model helicopter:

(1) Lightly sand the area to be drilled, using No. 80 then No. 220 sandpaper.

(2) Locate and drill eight 2.5 mm-diameter holes (T): 4 holes (T) 12 mm from the existing rivets (E) and on the centerline of the existing rivets (E), then 4 holes (T) 24 mm from the existing rivets (E) and on the centerline of the existing rivets (E).

(3) Deburr and clean the area around the drilled holes.

(4) Install 8 rivets (1) on tab (L). Any installation direction of the rivets is permissible (pressure face or suction face of the T/R blade).

(5) Inspect the tab for debonding.

(i) If there is no debonding, paint the area.

(ii) If there is debonding, replace the tab.

(f) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Group, Rotorcraft Directorate, FAA, may approve AMOCs for this AD. Send your proposal to: Gary Roach, Aviation Safety Engineer, Regulations and Policy Group, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222–5110; email *gary.b.roach@faa.gov*.

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of

the local flight standards district office or certificate holding district office before operating any aircraft complying with this AD through an AMOC.

(g) Additional Information

The subject of this AD is addressed in European Aviation Safety Agency AD No. F–2004–176 and AD No. F–2004–178, both dated November 10, 2004.

(h) Subject

Joint Aircraft Service Component (JASC) Code: 6410, Tail rotor blades.

Issued in Fort Worth, Texas, on April 11, 2013.

Lance T. Gant,

Acting Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2013–09417 Filed 4–19–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0334; Directorate Identifier 2013–NM–027–AD]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for all The Boeing Company Model 757 airplanes. This proposed AD was prompted by a report of a broken forward support fitting at the inboard track of the inboard flap. This proposed AD would require repetitive inspections of the forward support fitting assemblies of the inboard track of the left and right inboard flaps for cracking, and corrective actions if necessary. We are proposing this AD to detect and correct cracking of the forward support fitting assembly, which could result in loss of inboard flap control and subsequent loss of airplane control.

DATES: We must receive comments on this proposed AD by June 6, 2013.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, 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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Ave SW., Renton, WA 98057. For information on the availability of this material at the FAA, call 425–227–1221.

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 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 (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Nancy Marsh, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: (425) 917–6440; fax: (425) 917–6590; email: *nancy.marsh@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2013–0334; Directorate Identifier 2013–NM–027–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://www.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

We received a report of a broken forward support fitting assembly at the inboard track of the inboard flap. During a post-flight taxi, pilots noticed a FLAP TE DISAGREE message on the engine indication and crew alerting system (EICAS). Maintenance personnel found that both components of the forward support fitting assembly had broken, causing the inboard track and transmission to drop 8 inches into the wheel well. The airplane had accumulated 22,328 total flight cycles. Metallurgical analysis found that cracks had initiated at a compound radius in each component flange common to the main landing gear (MLG) beam. Each crack was propagated by fatigue and was followed by final ductile rupture. This condition, if not detected and corrected, could result in loss of inboard flap control and subsequent loss of airplane control.

Relevant Service Information

We reviewed Boeing Special Attention Service Bulletin 757–57–0071, dated September 12, 2012. For information on the procedures and compliance times, see this service information at *http://www.regulations.gov* by searching for Docket No. FAA–2013–0334.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in the service information described previously.

In addition, the phrase ''corrective actions'' might be used in this proposed AD. ''Corrective actions'' are actions that correct or address any condition found. Corrective actions in an AD could include, for example, repairs.

Costs of Compliance

We estimate that this proposed AD affects 690 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD: