

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2024–2020; Project Identifier MCAI–2024–00303–A]

RIN 2120–AA64

**Airworthiness Directives; Embraer S.A. Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to supersede Airworthiness Directive (AD) 2023–21–06, which applies to certain Embraer S.A. (Embraer) Model EMB–505 airplanes. AD 2023–21–06 requires installing structural reinforcements on certain monuments and replacing certain floor support rivets. Since the FAA issued AD 2023–21–06, the FAA has determined that certain airplanes need to be re-assigned to a different group and certain re-identified floor support part numbers need to be corrected. This proposed AD would require installing structural reinforcements on monuments and replacing fasteners on the floor support, as specified in an Agência Nacional de Aviação Civil (ANAC) AD, which is proposed for incorporation by reference. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this NPRM by September 30, 2024.

**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 *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.

*AD Docket:* You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–2020; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and

other information. The street address for Docket Operations is listed above.

*Material Incorporated by Reference:*

- For ANAC material identified in this proposed AD, contact ANAC, Continuing Airworthiness Technical Branch (GTAC), Rua Doutor Orlando Feirabend Filho, 230—Centro Empresarial Aquarius—Torre B—Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246–190—São José dos Campos—SP, Brazil; phone: 55 (12) 3203–6600; email: *pac@anac.gov.br*; website: *anac.gov.br/en/*. You may find this material on the ANAC website at *sistemas.anac.gov.br/certificacao/DA/DAE.asp*. It is also available at *regulations.gov* under Docket No. FAA–2024–2020.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222–5110.

**FOR FURTHER INFORMATION CONTACT:** Jim Rutherford, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (816) 329–4165; email: *jim.rutherford@faa.gov*.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include “Docket No. FAA–2024–2020; Project Identifier MCAI–2024–00303–A” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend the proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov*, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

**Confidential Business Information**

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM

contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Jim Rutherford, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

**Background**

The FAA issued AD 2023–21–06, Amendment 39–22578 (88 FR 85093, December 7, 2023) (AD 2023–21–06), for certain serial-numbered Embraer Model EMB–505 airplanes. AD 2023–21–06 was prompted by an MCAI originated by ANAC, which is the aviation authority for Brazil. ANAC issued ANAC AD 2023–05–03, effective June 2, 2023 (ANAC AD 2023–05–03) to correct an unsafe condition.

AD 2023–21–06 requires installing structural reinforcements on certain monuments and replacing certain floor support rivets. The FAA issued AD 2023–21–06 to address certain monuments (the right-hand refreshment center and left-hand forward cabinet) that might not withstand the loads expected for specific emergency landing conditions, which may cause the detachment of mass items and result in injuries to the airplane occupants.

**Actions Since AD 2023–21–06 Was Issued**

Since the FAA issued AD 2023–21–06, ANAC superseded ANAC AD 2023–05–03 and issued ANAC AD 2023–05–03R01, effective March 8, 2024 (ANAC AD 2023–05–03R01) for certain serial-numbered Embraer Model EMB–505 airplanes. ANAC AD 2023–05–03R01 states it was issued to incorporate Embraer Service Bulletin SB505–25–0046, Revision 02, dated February 19, 2024, which updates effectivity information, compliance information, and part number information.

ANAC superseded ANAC AD 2023–05–03R01 and issued ANAC AD 2023–05–03R02, effective May 17, 2024 (ANAC AD 2023–05–03R02) (also referred to as the MCAI) for certain serial-numbered Embraer Model EMB–505 airplanes. The MCAI states it was issued to incorporate Embraer Service

Bulletin SB505–25–0046, Revision 03, dated May 6, 2024 (actual date May 7, 2024), which includes additional actions for certain airplane groups that had complied with the requirements of ANAC AD 2023–05–03R01 but had not yet installed part number (P/N) 506–66837–001 and updates the effectivity information, compliance information, and part number information.

The FAA is issuing this AD to address certain monuments that might not withstand the loads expected for specific emergency landing conditions, which may cause the detachment of mass items and result in injuries to the airplane occupants.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2024–2020.

**Material Incorporated by Reference Under 1 CFR Part 51**

The FAA reviewed ANAC AD 2023–05–03R02, which specifies procedures for installing structural reinforcements on certain monuments and replacing certain fasteners on the floor support.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in ADDRESSES.

**FAA’s Determination**

These products have been approved by the aviation authority of another

country and are approved for operation in the United States. Pursuant to the FAA’s bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

**Proposed AD Requirements in This NPRM**

This proposed AD would require accomplishing the actions specified in ANAC AD 2023–05–03R02 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD and except as discussed under “Differences Between this Proposed AD and the MCAI.”

**Differences Between This Proposed AD and the MCAI**

The material specified in ANAC AD 2023–05–03R02 allows the use of alternative or similar parts in place of the ones specified in the kits, provided these alternative or similar parts are approved by Embraer, but this proposed AD would require approval from either the Manager, International Validation Branch, FAA; ANAC; or ANAC’s authorized Designee. If approved by the

ANAC Designee, the approval must include the Designee’s authorized signature.

**Explanation of Required Compliance Information**

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate ANAC AD 2023–05–03R02 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with ANAC AD 2023–05–03R02 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by ANAC AD 2023–05–03R02 for compliance will be available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2024–2020 after the FAA final rule is published.

**Costs of Compliance**

The FAA estimates that this AD, if adopted as proposed, would affect 208 airplanes of U.S. registry.

The FAA estimates the following costs to comply with this proposed AD:

**ESTIMATED COSTS**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Airplane groups 1 and 2—install structural reinforcements.	22 work-hours × \$85 per hour = \$1,870	\$1,600	\$3,470	\$242,900 (70 airplanes).
Airplane groups 3, 4, and 5—install structural reinforcements and replace floor fasteners.	14 work-hours × \$85 per hour = \$1,190	600	1,790	\$200,480 (112 airplanes).
Airplane groups 6 and 8—install structural reinforcements and replace floor fasteners.	26 work-hours × \$85 per hour = \$2,210	2,000	4,210	\$84,200 (20 airplanes).
Airplane group 7—install structural reinforcements.	20 work-hours × \$85 per hour = \$1,700	1,600	3,300	\$16,500 (5 airplanes).
Airplane group 9—install structural reinforcements.	14 work-hours × \$85 per hour = \$1,190	1,600	2,790	\$2,790 (1 airplane).

The FAA estimates the following costs for the additional work that operators would be required to do for compliance with this proposed AD if they completed the actions in the

original version of Embraer Service Bulletin SB505–25–0046, dated March 31, 2021; Service Bulletin SB505–25–0046, Revision 01, dated May 8, 2023; or Service Bulletin SB505–25–0046,

Revision 02, dated February 19, 2024. The agency has no way of determining the number of airplanes that might need these actions:

**ESTIMATED COSTS**

Action	Labor cost	Parts cost	Cost per product
Inspect floor fasteners .....	9 work-hours × \$85 per hour = \$765 .....	\$50	\$815
Replace floor fasteners .....	1 work-hour × \$85 per hour = \$85 .....	50	135

ESTIMATED COSTS—Continued

Action	Labor cost	Parts cost	Cost per product
Airplane groups 1 and 2 install reinforcement support on left-hand forward cabinet.	2 work-hours × \$85 per hour = \$170 .....	200	370

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected operators.

**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.

The FAA is 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**

The FAA 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) Would not affect intrastate aviation in Alaska, and
- (3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**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:
  - a. Removing Airworthiness Directive 2023–21–06, Amendment 39–22578 (88 FR 85093, December 7, 2023); and
  - b. Adding the following new airworthiness directive:

**Embraer S.A.:** Docket No. FAA–2024–2020; Project Identifier MCAI–2024–00303–A.

**(a) Comments Due Date**

The FAA must receive comments on this airworthiness directive (AD) by September 30, 2024.

**(b) Affected ADs**

This AD replaces AD 2023–21–06, Amendment 39–22578 (88 FR 85093, December 7, 2023).

**(c) Applicability**

This AD applies to Embraer S.A. Model EMB–505 airplanes, certificated in any category, as identified in Agência Nacional de Aviação Civil (ANAC) AD 2023–05–03R02, effective May 17, 2024 (ANAC AD 2023–05–03R02).

**(d) Subject**

Joint Aircraft System Component (JASC) Code 2500, Cabin Equipment/Furnishings.

**(e) Unsafe Condition**

This AD was prompted by the analysis of certain monuments (the right-hand refreshment center and left-hand forward cabinet) that identified the need for installing structural reinforcements and replacing applicable floor support rivets. The FAA is issuing this AD to address the unsafe condition. The unsafe condition, if not addressed, could result in a monument not withstanding the loads expected for specific emergency landing conditions, which may cause the detachment of mass items and result in injuries to the airplane occupants.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Required Actions**

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, ANAC AD 2023–05–03R02.

**(h) Exceptions to ANAC AD 2023–05–03R02**

(1) Where ANAC AD 2023–05–03R02 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where ANAC AD 2023–05–03R02 refers to Embraer Service Bulletin SB505–25–0046, Revision 03, as dated “May 6, 2024,” replace that text with “May 7, 2024.”

(3) Where paragraph (b) of ANAC AD 2023–05–03R02 refers to “June 2, 2023, the effective date of AD 2023–05–03, original revision,” replace that text with “December 11, 2023, the effective date of AD 2023–21–06.”

(4) Although the material referenced in ANAC AD 2023–05–03R02 allows the use of alternative or similar parts in place of the ones specified in the kits provided, this AD requires that alternative or similar parts be approved by the Manager, International Validation Branch, FAA; ANAC; or ANAC’s authorized Designee. If approved by the ANAC Designee, the approval must include the Designee’s authorized signature.

(5) Where the material referenced in ANAC AD 2023–05–03R02 specifies to “discard” certain parts, replace that text with “remove from service.”

(6) This AD does not adopt paragraph (d)(1) of ANAC AD 2023–05–03R02.

**(i) No Reporting Requirement**

Although the material referenced in ANAC AD 2023–05–03R02 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

**(j) Alternative Methods of Compliance (AMOCs)**

The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, mail it to the address identified in paragraph (k) of this AD or email to: *AMOC@faa.gov*. If mailing information, also submit information by email. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

**(k) Additional Information**

For more information about this AD, contact Jim Rutherford, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (816) 329-4165; email: [jim.rutherford@faa.gov](mailto:jim.rutherford@faa.gov).

**(l) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Agência Nacional de Aviação Civil (ANAC) AD 2023-05-03R02, effective May 17, 2024.

(ii) [Reserved]

(3) For ANAC material identified in this AD, contact ANAC, Continuing Airworthiness Technical Branch (GTAC), Rua Doutor Orlando Feirabend Filho, 230—Centro Empresarial Aquarius—Torre B—Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246-190—São José dos Campos—SP, Brazil; phone: 55 (12) 3203-6600; email: [pac@anac.gov.br](mailto:pac@anac.gov.br); website: [anac.gov.br/en/](http://anac.gov.br/en/). You may find this material on the ANAC website at [sistemas.anac.gov.br/certificacao/DA/DAE.asp](http://sistemas.anac.gov.br/certificacao/DA/DAE.asp).

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (817) 222-5110.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit [www.archives.gov/federal-register/cfr/ibr-locations](http://www.archives.gov/federal-register/cfr/ibr-locations) or email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov).

Issued on August 8, 2024.

**Victor Wicklund,**

*Deputy Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2024-18046 Filed 8-15-24; 8:45 am]

BILLING CODE 4910-13-P

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 129****International Aviation Safety Assessment (IASA) Program**

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

**ACTION:** Request for comments on proposed changes to the IASA Program.

**SUMMARY:** On September 28, 2022, the FAA published a Policy Statement in the **Federal Register** that described policy changes to the FAA's International Aviation Safety Assessment (IASA) program as well as clarification or restatement of prior

policy to “enhance engagement with civil aviation authorities (CAAs) through pre- and post-*IASA* assessment and to promote greater transparency.” After receiving inquiries and questions about the changes described in that policy statement, the FAA is, elsewhere in this issue of the **Federal Register**, suspending implementation of the September 28, 2022, Policy Statement while the agency reassesses the policy, and invites public comments on proposed changes to the FAA *IASA* program policy contained herein. The policy statement of March 8, 2013, remains active.

**DATES:** The FAA must receive comments by September 16, 2024.

**ADDRESSES:** You may send comments identified by docket number FAA-2024-2058 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov> and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at (202) 493-2251.

**FOR FURTHER INFORMATION CONTACT:**

Rolandos Lazaris, Division Manager, International Program Division (AFS-50), Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; (202) 267-3719.

**SUPPLEMENTARY INFORMATION:****Background**

The *IASA* program is the means by which the FAA determines whether another country's oversight of its air carriers that (1) operate, or seek to operate, services to/from the United States using their own aircraft and crews, or (2) seek to display the code of a U.S. air carrier on any services, complies with safety standards established by the International Civil Aviation Organization (ICAO). The published *IASA* results of a country's placement in Category 1 or Category 2 is the notification to the U.S. traveling public as to whether a foreign air carrier's homeland civil aviation

authority meets ICAO safety standards. A Category 1 rating indicates that the civil aviation authority meets ICAO safety standards for these operations, and a Category 2 rating indicates that the civil aviation authority does not meet ICAO safety standards. The *IASA* program was established by a document published in the **Federal Register** in 1992. Subsequent published documents in the **Federal Register** notified of the program's evolution. These **Federal Register** documents are as follows:

- August 24, 1992—Established the FAA Procedures for Examining and Monitoring Foreign Air Carriers (57 FR 38342).

- September 8, 1994—Established the Public Disclosure of the Results of Foreign Civil Aviation Authority Assessments, through a three-category numbered rating system (59 FR 46332).

- October 31, 1995—DOT Notice Clarification Concerning Examination of Foreign Carriers' Request for Expanded Economic Authority, clarified the Department's licensing policy regarding requests for expanded economic authority from foreign air carriers whose CAA's safety oversight capability has been assessed by the FAA as conditional (Category II) or unacceptable (Category III) (60 FR 55408).

- May 25, 2000—Changes to the International Aviation Safety Assessment program removed the Category 3 rating and combined it with Category 2 (65 FR 33751).

- March 8, 2013—Changes to the International Aviation Safety Assessment program removed inactive countries (countries with no air carrier operations to the United States or code-shares with U.S. air carrier for four years and no significant interaction between the country's CAA and the FAA) from the *IASA* Category list (78 FR 14912).

Through the *IASA* program, the FAA seeks continuous improvement to global aviation safety. As noted in the above-referenced policy statement of September 8, 1994, initial *IASA* assessments found that two-thirds of the assessed CAAs were deficient in meeting their safety oversight obligations under the Convention on International Civil Aviation.

The September 28, 2022, Policy Statement (87 FR 58725) (now suspended) announced certain changes to the *IASA* program and provided clarification to other aspects of the *IASA* policy. Since that publication, the FAA and DOT have received inquiries and questions that warrant reassessment of those changes and clarifications, and an opportunity for public comment before they are adopted permanently. As noted above, the FAA is suspending