

(2) Include in the airworthiness limitations section (ALS), any mandatory inspections and serviceability limits related to the use of the 30-minute AEO rating.

(c) Section 33.87, Endurance Test. In addition to the requirements of §§ 33.87(a) and 33.87(d), the overall test run must include a minimum of 25 hours of operation at 30-minute AEO power and limits, divided into periods of 30-minute AEO power with alternate periods at maximum continuous power or less.

(1) Modification of the § 33.87 test requirements to include the 25 hours of operation at 30-minute AEO power rating must be proposed by the Applicant and accepted by the FAA.

(2) Each § 33.87(d) continuous one-engine-inoperative (OEI) rating test period of 30-minutes or longer, run at power and limits equal to or higher than the 30-minute AEO rating, may be credited toward this requirement. Note that the test time required for the takeoff or other OEI ratings may not be counted toward the 25 hours of operation required at the 30-minute AEO rating.

Issued in Seattle, Washington, on November 13, 2024.

**Paul R. Siegmund,**

*Acting Manager, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service.*

[FR Doc. 2024-27041 Filed 11-19-24; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2024-2426; Project Identifier MCAI-2024-00625-T; Amendment 39-22886; AD 2024-23-07]

**RIN 2120-AA64**

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

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Embraer S.A. Model EMB-545 and EMB-550 airplanes. This AD was prompted by reports of corrosion, damage, and rupture on the down lock spring assemblies of the main landing gear (MLG) and nose landing gear (NLG). This AD requires inspecting for affected MLG and NLG down lock springs and replacing affected down

lock springs, and prohibits the installation of affected parts, as specified in an Agência Nacional de Aviação Civil (ANAC) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective November 20, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 20, 2024.

The FAA must receive comments on this AD by January 6, 2025.

**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](https://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.

*AD Docket:* You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2024-2426; 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 final rule, 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 AD, contact National Civil Aviation Agency (ANAC), Aeronautical Products Certification Branch (GGCP), Rua Dr. 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; telephone 55 (12) 3203-6600; email [pac@anac.gov.br](mailto:pac@anac.gov.br); website [anac.gov.br/en/](https://anac.gov.br/en/). You may find this material on the ANAC website at [sistemas.anac.gov.br/certificacao/DA/DAE.asp](https://sistemas.anac.gov.br/certificacao/DA/DAE.asp).

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2024-2426.

**FOR FURTHER INFORMATION CONTACT:** Hassan Ibrahim, Aviation Safety

Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206-231-3653; email [Hassan.M.Ibrahim@faa.gov](mailto:Hassan.M.Ibrahim@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2024-2426; Project Identifier MCAI-2024-00625-T” at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, 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 this final rule 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](https://www.regulations.gov), including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this final rule.

##### 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 AD 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 AD, 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 AD. Submissions containing CBI should be sent to Hassan Ibrahim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206-231-3653; email [Hassan.M.Ibrahim@faa.gov](mailto:Hassan.M.Ibrahim@faa.gov). Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

##### Background

ANAC, which is the aviation authority for Brazil, has issued ANAC Emergency AD 2024-10-02, effective October 21, 2024 (ANAC Emergency AD

2024–10–02) (also referred to as the MCAI), to correct an unsafe condition for certain Model Embraer S.A. Model EMB–545 and EMB–550 airplanes. The MCAI states that corrosion, damage, and rupture have been found on down lock spring assemblies of the MLG and NLG, which, under specific load conditions on the ground, may compromise the locking and holding of the MLG and NLG in their correct kinematics positions. Failure of these down lock springs could cause a non-announced loss of down locking capability, which may collapse the MLG and the NLG structure during takeoff or landing.

The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2024–2426.

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

ANAC Emergency AD 2024–10–02 specifies procedures for a general visual inspection for affected MLG and NLG down lock springs, and replacement of affected down lock springs. ANAC Emergency AD 2024–10–02 also prohibits the installation of affected down lock springs. 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 the ADDRESSES section.

**FAA’s Determination**

This product has been approved by the aviation authority of another country and is 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 AD after determining that the unsafe condition described previously is likely to exist or develop

on other products of the same type design.

**Requirements of This AD**

This AD requires accomplishing the actions specified in ANAC Emergency AD 2024–10–02 described previously, except for any differences identified as exceptions in the regulatory text of this AD.

**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, ANAC Emergency AD 2024–10–02 is incorporated by reference in this AD. This AD requires compliance with ANAC Emergency AD 2024–10–02 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this AD. Material required by ANAC Emergency AD 2024–10–02 for compliance will be available at *regulations.gov* under Docket No. FAA–2024–2426 after this AD is published.

**Interim Action**

The FAA considers that this AD is an interim action. If final action is later identified, the FAA might consider further rulemaking then.

**Justification for Immediate Adoption and Determination of the Effective Date**

Section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency, for “good cause,” finds that those procedures are “impracticable, unnecessary, or contrary

to the public interest.” Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to make rules effective in less than 30 days, upon a finding of good cause.

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies forgoing notice and comment prior to adoption of this rule because failure of the MLG and NLG down lock spring assemblies could cause a non-announced loss of down locking capability, which may collapse the MLG and the NLG structure during takeoff or landing. The compliance time in this AD is shorter than the time necessary for the public to comment and for publication of the final rule. Accordingly, notice and opportunity for prior public comment are impracticable and contrary to the public interest pursuant to 5 U.S.C. 553(b).

In addition, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days, for the same reasons the FAA found good cause to forgo notice and comment.

**Regulatory Flexibility Act (RFA)**

The requirements of the RFA do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without notice and comment, RFA analysis is not required.

**Costs of Compliance**

The FAA estimates that this AD affects 55 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

**ESTIMATED COSTS FOR REQUIRED ACTIONS**

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Up to 17 work-hours × \$85 per hour = \$1,445 .....	Up to \$4,379 .....	Up to \$5,824 .....	Up to \$320,320.

According to the manufacturer, some or all of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. The FAA does not control warranty coverage for affected individuals. As a result, the FAA has included all known costs in the cost estimate.

**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

This AD will not have federalism implications under Executive Order 13132. This AD will 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 this AD:

(1) Is not a “significant regulatory action” under Executive Order 12866, and

(2) Will not affect intrastate aviation in Alaska.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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:

**2024–23–07 Embraer S.A.:** Amendment 39–22886; Docket No. FAA–2024–2426; Project Identifier MCAI–2024–00625–T.

#### (a) Effective Date

This airworthiness directive (AD) is effective November 20, 2024.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Embraer S.A. Model EMB–545 and EMB–550 airplanes, certificated in any category, as identified in Agência Nacional de Aviação Civil (ANAC) Emergency AD 2024–10–02, effective October 21, 2024 (ANAC Emergency AD 2024–10–02).

#### (d) Subject

Air Transport Association (ATA) of America Code 32, Landing gear.

#### (e) Unsafe Condition

This AD was prompted by reports of corrosion, damage, and rupture on the down lock spring assemblies of the main landing gear (MLG) and nose landing gear (NLG), which, under specific load conditions on the ground, may compromise the locking and holding of the MLG and NLG in their correct kinematics positions. The FAA is issuing this AD to prevent failure of these down lock springs, which could cause a non-announced loss of down locking capability and result in collapse of the MLG and the NLG structure during takeoff or landing.

#### (f) Compliance

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

#### (g) Requirements

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 Emergency AD 2024–10–02.

#### (h) Exceptions to ANAC Emergency AD 2024–10–02

(1) Where ANAC Emergency AD 2024–10–02 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where Note 1 of ANAC Emergency AD 2024–10–02 defines a non-affected part 1 as “an airworthy part according to the applicable requirements and is not an affected part according to the (a)(1) paragraph of this EAD,” for this AD replace that text with “an airworthy part that is not an affected part according to paragraph (a)(1) of this EAD.”

(3) Where Note 2 of ANAC Emergency AD 2024–10–02 defines a non-affected part 2 as “an airworthy part according to the applicable requirements and is not an affected part according to the (a)(2) paragraph of this EAD,” for this AD replace that text with “an airworthy part that is not an affected part according to paragraph (a)(2) of this EAD.”

(4) This AD does not adopt paragraph (g) of ANAC Emergency AD 2024–10–02.

#### (i) Returning Parts Not Required

Although the material referenced in ANAC Emergency AD 2024–10–02 specifies to send removed parts to the manufacturer, this AD does not include that requirement.

#### (j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *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 responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (k) of this AD and email to: [AMOC@faa.gov](mailto:AMOC@faa.gov). Before using any approved AMOC, notify your appropriate

principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or ANAC; or ANAC’s authorized Designee. If approved by the ANAC Designee, the approval must include the Designee’s authorized signature.

#### (k) Additional Information

For more information about this AD, contact Hassan Ibrahim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3653; email [Hassan.M.Ibrahim@faa.gov](mailto:Hassan.M.Ibrahim@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 this AD specifies otherwise.

(3) The following material was approved for IBR on November 20, 2024.

(i) Agência Nacional de Aviação Civil (ANAC) Emergency AD 2024–10–02, effective October 21, 2024.

(ii) [Reserved]

(4) For ANAC material identified in this AD, contact National Civil Aviation Agency (ANAC), Aeronautical Products Certification Branch (GGCP), Rua Dr. 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; telephone 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).

(5) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(6) 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 November 12, 2024.

#### Victor Wicklund,

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

[FR Doc. 2024–27254 Filed 11–18–24; 11:15 am]

BILLING CODE 4910–13–P