

FAA-2007-27723; Directorate Identifier 2007-CE-029-AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective August 3, 2007.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Model P-180 airplanes, serial numbers 1002, 1004 through 1107, 1109, and 1110, certificated in any category.

#### Subject

(d) Air Transport Association of America (ATA) Code 57: Wings.

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states: EASA EAD 2006-0072-E was issued on 31st March 2006 following a further failure of the forward support of the Main Wing Outboard Flap (MWOFF), caused by corrosion. This condition, if not corrected, may cause surface twisting during deployment at landing. The analysis of that event highlighted the need for the reduction of the previous inspection interval which was mandated by ENAC through AD 2004-523, approved by EASA with reference 2004-12521.

Now the TC holder has developed a new type of forward support for the Main Wing Outboard Flap with characteristics that improve the resistance to corrosion. When the new support is installed, the repetitive Eddy current inspection that was introduced by EASA EAD 2006-0072-E is no longer required.

#### Actions and Compliance

(f) Unless already done, do the following actions:

(1) Within the next 200 hours time-in-service (TIS) after August 3, 2007 (the effective date of this AD) or within 60 days after August 3, 2007 (the effective date of this AD), whichever occurs first, replace the outboard flap track forward bushing and the outboard flap track forward support. Do the replacements using the Accomplishment Instructions detailed in Part A of Piaggio Aero Industries S.p.A. Mandatory Service Bulletin (SB) No. 80-0210, Rev 4, dated July 19, 2006.

(2) At intervals not to exceed 1,500 hours TIS after doing the replacements required in paragraph (f)(1) of this AD, visually inspect the outboard flap track forward support for traces of any kind of corrosion and/or protective coat/finishing wear damage. Do the inspections using the Accomplishment Instructions detailed in Part B of Piaggio Aero Industries S.p.A. Mandatory SB No. 80-0210, Rev 4, dated July 19, 2006.

(3) Before further flight after each inspection required in paragraph (f)(2) of this AD in which any kind of corrosion or wear damage is found, contact the manufacturer for a repair scheme and incorporate the repair.

#### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: No differences.

#### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Staff, FAA, Small Airplane Directorate, ATTN: Sarjapur Nagarajan, Aerospace Engineer, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4145; fax: (816) 329-4090, has the authority to approve AMOCs for this AD, if requested using the procedures found 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.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(h) Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2006-0305, dated October 9, 2006; and Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0210, Rev 4, dated July 19, 2006, for related information.

#### Material Incorporated by Reference

(i) You must use Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0210, Rev 4, dated July 19, 2006, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact PIAGGIO AERO INDUSTRIES S.p.A. Via Cibrario 4, 16154 Genoa, Italy; telephone: +39 010 6481 856; facsimile: +39 010 6481 374.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Kansas City, Missouri, on June 15, 2007.

**Kim Smith,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E7-12008 Filed 6-28-07; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-27508; Directorate Identifier 2006-NM-252-AD; Amendment 39-15117; AD 2007-13-13]

RIN 2120-AA64

#### Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) ERJ 170 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by an airworthiness authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as an obstruction at the cargo compartment fire extinguisher system drier metering unit (DMU) inlet, affecting the system effectiveness and, consequently, making the fire extinguishing capability at those compartments inadequate should a fire erupt. We are issuing this AD to require actions to correct the unsafe condition on these products.

**DATES:** This AD becomes effective August 3, 2007.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 3, 2007.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Todd Thompson, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:****Discussion**

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to allow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and **Federal Register** requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on March 12, 2007 (72 FR 10947). That NPRM proposed to require installation of a debris strainer at the drier metering unit (DMU) inlet. The MCAI states that it has been found the occurrence of one case of obstruction at the cargo compartment fire extinguisher system DMU inlet, affecting the system effectiveness and, consequently, making the fire extinguishing capability at those compartments inadequate should a fire erupt.

**Comments**

We gave the public the opportunity to participate in developing this AD. We considered the comment received.

**Request To Revise Applicability**

The airplane manufacturer, EMBRAER, requests that we change the proposed applicability to refer to certain Model ERJ 170 airplanes identified in EMBRAER Service Bulletin 170-26-0002, dated November 11, 2005.

We agree to revise the applicability. The service bulletin identifies only those airplanes that have an affected DMU installed. We have revised paragraph (c) of this AD to reference the service bulletin. We have coordinated this change with Agência Nacional de Aviação Civil (ANAC).

**Conclusion**

We reviewed the available data, including the comment received, and determined that air safety and the public interest require adopting the AD

with the change described previously. We determined that this change will not increase the economic burden on any operator or increase the scope of the AD.

**Differences Between This AD and the MCAI or Service Information**

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable in a U.S. court of law. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are described in a separate paragraph of the AD. These requirements, if any, take precedence over the actions copied from the MCAI.

**Costs of Compliance**

We estimate that this AD will affect 75 products of U.S. registry. We also estimate that it will take about 4 work-hours per product to comply with this AD. The average labor rate is \$80 per work-hour. Required parts will cost about \$0 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$24,000, or \$320 per product.

**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 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;
- (2) Is not a "significant rule" under 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 AD and placed it in the AD Docket.

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://dms.dot.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 the NPRM, the regulatory 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.

**List of Subjects in 14 CFR Part 39**

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

**Adoption of 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 AD:

**2007-13-13 Empresa Brasileira De Aeronautica S.A. (EMBRAER):**  
Amendment 39-15117. Docket No. FAA-2007-27508; Directorate Identifier 2006-NM-252-AD.

**Effective Date**

(a) This airworthiness directive (AD) becomes effective August 3, 2007.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to EMBRAER Model ERJ 170-100 LR, -100 STD, -100 SE, -100 SU, -200 LR, -200 STD, and -200 SU airplanes, as identified in EMBRAER Service Bulletin 170-26-0002, dated November 11, 2005; certificated in any category.

**Reason**

(d) The MCAI states that it has been found the occurrence of one case of obstruction at the cargo compartment fire extinguisher system drier metering unit (DMU) inlet, affecting the system effectiveness and, consequently, making the fire extinguishing capability at those compartments inadequate should a fire erupt. The MCAI requires installation of a debris strainer at the DMU inlet.

**Actions and Compliance**

(e) Unless already done, do the following actions. Within 700 flight hours after the effective date of this AD, install a debris strainer at the DMU inlet, in accordance with the detailed instructions and procedures described in EMBRAER Service Bulletin 170-26-0002, dated November 11, 2005.

**FAA AD Differences**

**Note:** This AD differs from the MCAI and/or service information as follows: No Differences.

**Other FAA AD Provisions**

(f) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM-116, Transport Airplane Directorate, 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: Todd Thompson, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149. 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.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

**Related Information**

(g) Refer to MCAI Brazilian Airworthiness Directive 2006-01-03, effective February 7, 2006; and EMBRAER Service Bulletin 170-26-0002, dated November 11, 2005; for related information.

**Material Incorporated by Reference**

(h) You must use EMBRAER Service Bulletin 170-26-0002, dated November 11, 2005, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil.

(3) You may review copies at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on June 18, 2007.

**Ali Bahrami,**

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7-12221 Filed 6-28-07; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF HOMELAND SECURITY****U.S. Customs and Border Protection****DEPARTMENT OF THE TREASURY****19 CFR Parts 10, 162, 163, and 178**

[USCBP-2007-0056; CBP Dec. 07-51]

**RIN 1505-AB76**

**United States-Morocco Free Trade Agreement**

**AGENCIES:** U.S. Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

**ACTION:** Interim regulations; solicitation of comments.

**SUMMARY:** This document amends U.S. Customs and Border Protection ("CBP") regulations on an interim basis to implement the preferential tariff treatment and other customs-related provisions of the United States-Morocco Free Trade Agreement entered into by the United States and the Kingdom of Morocco.

**DATES:** Interim rule effective June 29, 2007; comments must be received by August 28, 2007.

**ADDRESSES:** You may submit comments, identified by *docket number*, by *one* of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments via docket number USCBP-2007-0056.

- *Mail:* Trade and Commercial Regulations Branch, Regulations and Rulings, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW., (Mint Annex), Washington, DC 20229.

*Instructions:* All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Public Participation" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. Submitted comments may also be inspected during regular business days between the hours of 9 a.m. and 4:30 p.m. at the Trade and Commercial Regulations Branch, Regulations and Rulings, U.S. Customs and Border Protection, 799 9th Street, NW., (5th Floor), Washington, DC. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at (202) 572-8768.

**FOR FURTHER INFORMATION CONTACT:**

*Textile Operational Aspects:* Robert Abels, Office of International Trade, (202) 344-1959.

*Other Operational Aspects:* Seth Mazze, Office of International Trade, (202) 344-2634.

*Audit Aspects:* Mark Hanson, Regulatory Audit, Office of International Trade, (202) 863-6035.

*Legal Aspects:* Daniel Cornette, Office of International Trade, (202) 572-8731.

**SUPPLEMENTARY INFORMATION:****Public Participation**

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of the interim rule. CBP also invites comments that relate to the economic, environmental, or federalism effects that might result from this interim rule. Comments that will provide the most assistance to CBP will reference a specific portion of the interim rule, explain the reason for any recommended change, and include data,