

## APPENDIX F.—ECONOMIC IMPACT ON A REPRESENTATIVE SAMPLE OF SMALL BUSINESSES—Continued

Production basis	Manufacturer	State	Revenues (avg est.)	Annualized cost of rule	Percent
TSOA .....	DIAMOND J , INC .....	KS ...	3,750,000	7,342	0.20
TSOA .....	ESSEX INDUSTRIES INC .....	MO ..	7,500,000	7,342	0.10
TSOA .....	GLOBE MOTORS INTERNATIONAL LOGISTICS SUPPORT CORP. (ILSC) .....	AL ...	75,000,000	7,342	0.01
TSOA .....	.....	AZ ...	1,750,000	7,342	0.42
TSOA .....	KOLLSMAN INC .....	NH ..	750,000	7,342	0.98
TSOA .....	KOSOLA & ASSOCIATES .....	GA ..	3,750,000	7,342	0.20
TSOA .....	NORTH AMERICAN AERODYNAMICS .....	NC ..	15,000,000	7,342	0.05
TSOA .....	PHAOSTRON INSTRUMENTS & ELEC. CO .....	CA ...	15,000,000	7,342	0.05
TSOA .....	R.A. MILLER INDUSTRIES INC .....	MI ....	15,000,000	7,342	0.05
TSOA .....	SATCO, INC .....	CA ...	75,000,000	7,342	0.01
TSOA .....	SIGMA TEK, INC .....	KS ...	35,000,000	7,342	0.02
TSOA .....	SOUTHWEST PRODUCTS COMPANY .....	CA ...	15,000,000	7,342	0.05
TSOA .....	VISION MICROSYSTEMS .....	WA ..	1,750,000	7,342	0.42

Issued in Washington, DC on February 8, 2007.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-27152; Directorate Identifier 2006-NM-219-AD]

RIN 2120-AA64

#### Airworthiness Directives; McDonnell Douglas Model 717-200 Airplanes

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

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for certain McDonnell Douglas Model 717-200 airplanes. This proposed AD would require installing a certain junction(s) and changing the wiring of the first officer's pitot static heater system. This proposed AD results from a report of temporary loss of the auto-flight function with displays of suspect or erratic airspeed indications. We are proposing this AD to prevent display of suspect or erratic airspeed indications during heavy rain conditions, which could reduce the ability of the flightcrew to maintain the safe flight and landing of the airplane.

**DATES:** We must receive comments on this proposed AD by April 2, 2007.

**ADDRESSES:** Use one of the following addresses to submit comments on this proposed AD.

• *DOT Docket Web site:* Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

• *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

• *Mail:* Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, room PL-401, Washington, DC 20590.

• *Fax:* (202) 493-2251.

• *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Contact Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024), for the service information identified in this proposed AD.

**FOR FURTHER INFORMATION CONTACT:** Dan Bui, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5339; fax (562) 627-5210.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to submit any relevant written data, views, or arguments regarding this proposed AD. Send your comments to an address listed in the **ADDRESSES** section. Include the docket number "FAA-2007-27152; Directorate Identifier 2006-NM-219-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date

and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of that Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you may visit <http://dms.dot.gov>.

#### Examining the Docket

You may examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the Docket Management System receives them.

#### Discussion

We have received a report of temporary loss of the auto-flight function with displays of suspect or erratic airspeed indications on a McDonnell Douglas Model 717-200 airplane during climb-out in very heavy rain. The suspect or erratic indications were consistent with loss of air data sensor heating caused by ice build-up on unheated captain's, first officer's, and auxiliary's pitot sensors. In

addition, investigation revealed that the original design of the air data sensor heating system does not meet system separation criteria and independence requirements. As a result, the airplane may lose or have unreliable airspeed indications. This condition, if not corrected, could result in display of suspect or erratic airspeed indications during heavy rain conditions, which could reduce the ability of the flightcrew to maintain the safe flight and landing of the airplane.

#### Relevant Service Information

We have reviewed Boeing Alert Service Bulletin 717–30A0003, Revision 2, dated November 28, 2006. The service bulletin describes procedures for installing CTM–16–090 junction(s) and changing the wiring of the first officer's pitot static heater system, which separates the first officer's pitot sensor heater power from the captain's and auxiliary's pitot sensor heater power. These actions will ensure that the three systems (i.e., captain's, first officer's, and auxiliary's pitot sensor heaters) will always be on in-flight, regardless of the position of the air data heat switch. Accomplishing the actions specified in the service information is intended to adequately address the unsafe condition.

#### FAA's Determination and Requirements of the Proposed AD

We have evaluated all pertinent information and identified an unsafe condition that is likely to exist or develop on other airplanes of this same type design. For this reason, we are proposing this AD, which would require accomplishing the actions specified in the service information described previously.

#### Costs of Compliance

There are about 155 airplanes of the affected design in the worldwide fleet. This proposed AD would affect about 123 airplanes of U.S. registry. The proposed actions would take between 4 and 16 work hours per airplane depending on the airplane configuration, at an average labor rate of \$80 per work hour. The manufacturer states that it will supply required parts to the operators at no cost. Based on these figures, the estimated cost of the proposed AD for U.S. operators is between \$39,360 and \$157,440, or between \$320 and \$1,280 per airplane, depending on the airplane configuration.

#### 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 have 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. Is not a "significant rule" under the 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 proposed AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

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

Air transportation, Aircraft, Aviation safety, 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 Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**McDonnell Douglas:** Docket No. FAA–2007–27152; Directorate Identifier 2006–NM–219–AD.

#### Comments Due Date

- (a) The FAA must receive comments on this AD action by April 2, 2007.

#### Affected ADs

- (b) None.

#### Applicability

- (c) This AD applies to McDonnell Douglas Model 717–200 airplanes, certificated in any category; as identified in Boeing Alert Service Bulletin 717–30A0003, Revision 2, dated November 28, 2006.

#### Unsafe Condition

- (d) This AD results from a report of temporary loss of the auto-flight function with displays of suspect or erratic airspeed indications. We are issuing this AD to prevent display of suspect or erratic airspeed indications during heavy rain conditions, which could reduce the ability of the flightcrew to maintain the safe flight and landing of the airplane.

#### Compliance

- (e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Installation and Wiring Change

- (f) Within 24 months after the effective date of this AD, install CTM–16–090 junction(s) and change the wiring of the first officer's pitot static heater system, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 717–30A0003, Revision 2, dated November 28, 2006.

- (g) Actions done before the effective date of this AD in accordance with Boeing Alert Service Bulletin 717–30A0003, Revision 1, dated March 2, 2006, are acceptable for compliance with the corresponding provisions of paragraph (f) of this AD.

#### Alternative Methods of Compliance (AMOCs)

- (h)(1) The Manager, Los Angeles Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

- (2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

Issued in Renton, Washington, on February 5, 2007.

Ali Bahrami,

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. E7-2525 Filed 2-13-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-27151; Directorate Identifier 2006-NM-156-AD]

RIN 2120-AA64

#### **Airworthiness Directives; McDonnell Douglas Model MD-10-10F and MD-10-30F Airplanes, Model MD-11 and MD-11F Airplanes, and Model 717-200 Airplanes**

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

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

**SUMMARY:** The FAA proposes to supersede an existing airworthiness directive (AD) that applies to all McDonnell Douglas Model MD-10-10F and MD-10-30F airplanes, Model MD-11 and MD-11F airplanes, and Model 717-200 airplanes. The existing AD currently requires a revision to the Limitations section of the airplane flight manual (AFM) to prohibit use of the flight management system (FMS) profile (PROF) mode for descent and/or approach operations unless certain conditions are met. This proposed AD would require, for Model 717-200 airplanes, upgrading the versatile integrated avionics (VIA) digital computer with new system software, which would end the need for the AFM revision. This proposed AD results from a report of two violations of the selected flight control panel (FCP) altitude during FMS PROF descents. We are proposing this AD to prevent, under certain conditions during the FMS PROF descent, the uncommanded descent of an airplane below the selected level-off altitude, which could result in an unacceptable reduction in the separation between the airplane and nearby air traffic or terrain.

**DATES:** We must receive comments on this proposed AD by April 2, 2007.

**ADDRESSES:** Use one of the following addresses to submit comments on this proposed AD.

- **DOT Docket Web site:** Go to <http://dms.dot.gov> and follow the instructions

for sending your comments electronically.

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Contact Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024), for service information identified in this proposed AD.

#### **FOR FURTHER INFORMATION CONTACT:**

Thomas Phan, Aerospace Engineer, Propulsion Branch, ANM-140L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5342; fax (562) 627-5210.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

We invite you to submit any relevant written data, views, or arguments regarding this proposed AD. Send your comments to an address listed in the **ADDRESSES** section. Include the docket number "Docket No. FAA-2007-27151; Directorate Identifier 2006-NM-156-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of that Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or may can visit <http://dms.dot.gov>.

### **Examining the Docket**

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### **Discussion**

On August 25, 2004, we issued AD 2004-18-04, amendment 39-13782 (69 FR 53794, September 21, 2004), for all McDonnell Douglas Model MD-10-10F and MD-10-30F airplanes, Model MD-11 and MD-11F airplanes, and Model 717-200 airplanes. That AD currently requires a revision to the Limitations section of the airplane flight manual (AFM) to prohibit use of the flight management system (FMS) profile (PROF) mode for descent and/or approach operations unless certain conditions are met. That AD resulted from a report of two violations of the selected flight control panel (FCP) altitude during FMS PROF descents. We issued that AD to prevent, under certain conditions during the FMS PROF descent, the uncommanded descent of an airplane below the selected level-off altitude, which could result in an unacceptable reduction in the separation between the airplane and nearby air traffic or terrain.

### **Actions Since Existing AD Was Issued**

The preamble to AD 2004-18-04 explains that we consider the requirements "interim action" and that the manufacturer was developing a software modification to address the unsafe condition. That AD explained that we may consider further rulemaking if a modification is developed, approved, and available. The manufacturer now has developed such a modification for Model 717-200 airplanes, and we have determined that further rulemaking is indeed necessary; this proposed AD follows from that determination.

### **Other Relevant Rulemaking**

On August 3, 2006, we issued AD 2006-16-15, amendment 39-14715 (71 FR 47707, August 18, 2006), for certain McDonnell Douglas Model MD-10-10F and MD-10-30F airplanes and all Model MD-11 and MD-11F airplanes. That AD currently requires installation of upgraded flight management computer (FMC) software. As specified