

compartment. Alternatively, the design of the access provisions must allow crewmembers equipped for firefighting to have unrestricted access to the compartment. If the latter approach is elected it must be demonstrated that a crewmember has sufficient access to enable them to extinguish a fire. The time for a crewmember on the main deck to react to the fire alarm, (and, if applicable, to don the firefighting equipment and to open the compartment) must not exceed the flammability and fire containment capabilities of the stowage compartment.

6. *Smoke Penetration.* There must be a means provided to exclude hazardous quantities of smoke or extinguishing agent originating in the overhead cross aisle stowage compartment from entering any other compartment occupied by crewmembers or

passengers. If access is required to comply with Special Condition 5, this means must include the time period when accessing the stowage compartment to manually fight a fire. Smoke entering any other compartment occupied by crewmembers or passengers, when access to the stowage compartment is opened to manually fight a fire, must dissipate within five minutes after the access to the stowage compartment is closed. Prior to the one minute smoke detection time (reference note 2 in paragraph (7)) penetration of a small quantity of smoke from the stowage compartment into an occupied area is acceptable. Flight tests must be conducted to show compliance with this requirement.

7. *Compartment Design Criteria.* The overhead cross aisle stowage compartment must be designed to minimize the hazards to the airplane in

the event of a fire originating in the stowage compartment.

(a) *Fire Extinguishing System.* If a built-in fire extinguishing system is used in lieu of manual firefighting, then the fire extinguishing system must be designed so no hazardous quantities of extinguishing agent will enter other compartments occupied by passengers or crew. The system must have adequate capacity to suppress any fire occurring in the stowage compartment, considering the fire threat, volume of the compartment, and the ventilation rate.

(b) *Compartment Size.* All overhead cross aisle stowage compartments must meet the design criteria given in the table below. As indicated by the table below, enclosed stowage compartments greater than 200 ft<sup>3</sup> in interior volume are not addressed by this special condition.

Stowage compartment interior volumes	Fire protection features		
	Less than 25 ft <sup>3</sup>	25 ft <sup>3</sup> to 57 ft <sup>3</sup>	57 ft <sup>3</sup> to 200 ft <sup>3</sup>
Materials of Construction <sup>1</sup> .....	Yes .....	Yes .....	Yes.
Detectors <sup>2</sup> .....	No .....	Yes .....	Yes.
Liner <sup>3</sup> .....	No .....	Yes .....	Yes.

<sup>1</sup> *Material:* The material used to construct each enclosed stowage compartment must be at least fire resistant and must meet the flammability standards established for interior components (that is, 14 CFR Part 25 Appendix F, Parts I, IV, and V) per the requirements of § 25.853. For compartments less than 25 ft<sup>3</sup> in total interior volume, the design must ensure the ability to contain a fire likely to occur within the compartment under normal use.

<sup>2</sup> *Detectors:* Enclosed stowage compartments equal to or exceeding 25 ft<sup>3</sup> in total interior volume must be provided with a smoke or fire detection system to ensure that a fire can be detected within one minute. Flight tests must be conducted to show compliance with this requirement. Each system (or systems) must provide:

(a) A visual indication in the flight deck within one minute after the start of a fire;

(b) A warning in the main passenger cabin. This warning must be readily detectable by a flight attendant, taking into consideration the positioning of flight attendants throughout the main passenger compartment during various phases of flight.

<sup>3</sup> *Liner:* If it can be shown the material used to construct the stowage compartment meets the flammability requirements of a liner for a Class B cargo compartment (that is, § 25.855 at Amendment 25-93 and Appendix F, part I, paragraph (a)(2)(ii)), in addition to the above <sup>1</sup> *Material requirement*, then no liner would be required for enclosed stowage compartments equal to or greater than 25 ft<sup>3</sup> in total interior volume but less than 57 ft<sup>3</sup> in total interior volume. For all enclosed stowage compartments equal to or greater than 57 ft<sup>3</sup> in total interior volume but less than or equal to 200 ft<sup>3</sup>, a liner must be provided that meets the requirements of § 25.855 for a Class B cargo compartment.

Issued in Renton, Washington, on October 26, 2006.

Kalene C. Yanamura,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 06-9025 Filed 10-30-06; 1:07 pm]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2006-26217; Directorate Identifier 2006-NM-209-AD]

RIN 2120-AA64

#### Airworthiness Directives; Bombardier Model DHC-8-400 Series 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 Bombardier Model DHC-8-400 series airplanes. This proposed AD would require revising the Airworthiness Limitations Items (ALI) of the maintenance requirements manual to require additional inspection requirements of the maintenance requirements manual for certain principal structural elements (PSEs) related to fuselage cutouts and to reduce an inspection threshold for an existing ALI task on the aft entry door. This proposed AD results from data obtained from the manufacturer's fatigue testing. We are proposing this AD to detect and correct fatigue cracking of certain PSEs, which could result in reduced structural integrity of the airplane.

**DATES:** We must receive comments on this proposed AD by December 4, 2006.

**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 Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada, for the service information identified in this proposed AD.

**FOR FURTHER INFORMATION CONTACT:**

George Duckett, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, suite 410, Westbury, New York 11590; telephone (516) 228-7325; fax (516) 794-5531.

**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-2006-26217; Directorate Identifier 2006-NM-209-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 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**

Transport Canada Civil Aviation (TCCA), which is the airworthiness

authority for Canada, notified us that an unsafe condition may exist on certain Bombardier Model DHC-8-400 series airplanes. TCCA advises that results from data obtained from the manufacturer's fatigue testing for cracking require new additional inspection requirements for certain principal structural elements (PSEs) related to fuselage cutouts, and a reduced inspection threshold for an existing ALI task on the aft entry door. Fatigue cracking of certain PSEs, if not corrected, could result in reduced structural integrity of the airplane.

**Relevant Service Information**

Bombardier has issued Temporary Revisions ALI-53, dated February 16, 2006, and ALI-54, dated March 27, 2006, to the Airworthiness Limitations Items (ALI), Part 2, Section 2, of the Bombardier Q400 Dash 8 Maintenance Requirements Manual, PSM 1-84-7. The TRs describe additional inspection requirements for principal structural elements (PSEs) related to fuselage cutouts and revise an existing ALI task on the aft entry door with a reduced threshold inspection. Accomplishing the actions specified in the service information is intended to adequately address the unsafe condition. TCCA mandated the service information and issued Canadian airworthiness directive CF-2006-10, dated May 12, 2006, to ensure the continued airworthiness of these airplanes in Canada.

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

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the TCCA has kept the FAA informed of the situation described above. We have examined the TCCA's findings, evaluated all pertinent information, and determined that we need to issue an AD for certain Bombardier Model DHC-8-400 series airplanes of this type design that are certificated for operation in the United States.

Therefore, we are proposing this AD, which would require accomplishing the actions specified in the Temporary Revisions described previously.

**Costs of Compliance**

This proposed AD would affect about 21 airplanes of U.S. registry. The proposed actions would take about 1 work hour per airplane, at an average labor rate of \$80 per work hour. Based

on these figures, the estimated cost of the proposed AD for U.S. operators is \$1,680, or \$80 per airplane.

**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):

**Bombardier, Inc. (Formerly de Havilland, Inc.):** Docket No. FAA-2006-26217; Directorate Identifier 2006-NM-209-AD.

### Comments Due Date

(a) The FAA must receive comments on this AD action by December 4, 2006.

### Affected ADs

(b) None.

### Applicability

(c) This AD applies to certain Bombardier Model DHC-8-400 series airplanes, serial numbers 4001, 4003, 4004, 4006, and 4008 through 4126 inclusive, certificated in any category.

### Unsafe Condition

(d) This AD results from data obtained from the manufacturer's fatigue testing. We are issuing this AD to detect and correct fatigue cracking of certain principal structural elements (PSEs), which could result in reduced structural integrity 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.

**Note 1:** This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (g) of this AD. The request should include a description of changes to the required inspections that will ensure the continued damage tolerance of the affected structure. The FAA has provided guidance for this determination in Advisory Circular (AC) 25-1529-1.

### Maintenance Requirements Manual Revision

(f) Within 60 days after the effective date of this AD, revise the Airworthiness Limitations Items (ALI), Part 2, Section 2, of the Bombardier Q400 Dash 8 Maintenance Requirements Manual, PSM 1-84-7, by incorporating the information in Bombardier Temporary Revisions (TR) ALI-53, dated February 16, 2006, and ALI-54, dated March 27, 2006. Thereafter, except as provided in

paragraph (g) of this AD, no alternative structural inspection intervals may be approved for the fuselage and doors as specified in the TRs.

**Note 2:** The actions required by paragraph (f) of this AD may be done by inserting copies of TR ALI-53, dated February 16, 2006, and TR ALI-54, dated March 27, 2006; into the ALI, Part 2, Section 2, of the Bombardier Q400 Dash 8 Maintenance Requirements Manual, PSM 1-84-7. When TRs ALI-53 and ALI-54 have been included in the general revisions of the maintenance requirements manual, the general revisions may be inserted into the maintenance requirements manual, provided the relevant information in the general revision is identical to that in TRs ALI-53 and ALI-54.

### Alternative Methods of Compliance (AMOCs)

(g)(1) The Manager, New York Aircraft Certification Office (ACO), 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.

### Related Information

(h) Canadian airworthiness directive CF-2006-10, dated May 12, 2006, also addresses the subject of this AD.

Issued in Renton, Washington, on October 25, 2006.

**Kalene C. Yanamura,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E6-18461 Filed 11-1-06; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2006-26219; Directorate Identifier 2004-SW-49-AD]

**RIN 2120-AA64**

### Airworthiness Directives; Bell Helicopter Textron Model 204B, 205A, 205A-1, 205B, 210, 212, 412, 412CF, and 412EP Helicopters

**AGENCY:** Federal Aviation Administration, DOT.

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

**SUMMARY:** This document proposes adopting a new airworthiness directive (AD) for Bell Helicopter Textron (Bell) Model 204B, 205A, 205A-1, 205B, 210, 212, 412, 412CF, and 412EP helicopters. The AD would require certain checks and inspections of each tail rotor blade

assembly (T/R blade) at specified intervals and repairing or replacing, as applicable, any unairworthy T/R blade. This proposal is prompted by eight reports of T/R blade failures. The actions specified by the proposed AD are intended to prevent failure of a T/R blade and subsequent loss of control of the helicopter.

**DATES:** Comments must be received on or before January 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; or

- **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.

You may get the service information identified in this proposed AD from Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, Texas 76101, telephone (817) 280-3391, fax (817) 280-6466.

You may examine the comments to this proposed AD in the AD docket on the Internet at <http://dms.dot.gov>.

### FOR FURTHER INFORMATION CONTACT:

Michael Kohner, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Certification Office, Fort Worth, Texas 76193-0170, telephone (817) 222-5447, fax (817) 222-5783.

### SUPPLEMENTARY INFORMATION:

#### Comments Invited

We invite you to submit any written data, views, or arguments regarding this proposed AD. Send your comments to the address listed under the caption **ADDRESSES**. Include the docket number "FAA-2006-26219, Directorate Identifier 2004-SW-49-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