

## 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:

**Air Tractor, Inc.:** Docket No. FAA–2006–24710; Directorate Identifier 2006–CE–29–AD.

### Comments Due Date

(a) We must receive comments on this proposed airworthiness directive (AD) action by August 18, 2006.

### Affected ADs

(b) None.

### Applicability

(c) This AD affects Models AT–802 and AT–802A airplanes, all serial numbers beginning with 802/802A–0001 through 802/802A–0219, that are certificated in any category.

### Unsafe Condition

(d) This AD results from reports of an uncommanded change in engine power

setting caused by separation of a hopper rinse tank shelf from the firewall. We are proposing this AD to detect and correct damage and/or cracks in the attach angles on the firewall mounted hopper rinse tank shelf, which could result in failure of the attach angles. This failure could lead to shelf movement under maneuver load and shifting of the engine power cables, which could result in an uncommanded engine power setting change.

### Compliance

(e) To address this problem, you must do the following:

Actions	Compliance	Procedures
(1) Visually inspect the three attach angles on the firewall mounted hopper rinse tank shelf for damage and/or cracks.	Initially inspect within the next 100 hours time-in-service (TIS) after the effective date of this AD. Repetitively inspect thereafter at intervals not to exceed 100 hours TIS. Replacing all three attach angles with steel attach angles, part number (P/N) 60568–3 (or FAA-approved equivalent P/N), terminates the repetitive inspection requirement of this AD.	Follow Snow Engineering Co. Service Letter #248, dated August 31, 2005.
(2) If you find any damage and/or cracks on any of the three attach angles during any inspection required in paragraph (e)(1) of this AD, replace all three attach angles with steel attach angles, P/N 60568–3 (or FAA-approved equivalent P/N).	Before further flight after the inspection in which damage and/or cracks are found. Replacing all three attach angles with steel attach angles, P/N 60568–3 (or FAA-approved equivalent P/N), terminates the repetitive inspection requirement of paragraph (e)(1) of this AD.	Follow Snow Engineering Co. Service Letter #248, dated August 31, 2005.
(3) You may replace the aluminum attach angles on the firewall mounted hopper rinse tank shelf with steel attach angles, P/N 60568–3 (or FAA-approved equivalent P/N), at any time to terminate the repetitive inspections required in paragraph (e)(1) of this AD.	As of the effective date of this AD .....	Follow Snow Engineering Co. Service Letter #248, dated August 31, 2005.
(4) Do not install aluminum attach angles on the hopper rinse tank shelf attach angles.	As of the effective date of this AD .....	Not applicable.

(f) 14 CFR 21.303 allows for replacement parts through parts manufacturer approval (PMA). The phrase “or FAA-approved equivalent P/N” in this AD is intended to allow for the installation of parts approved through identity to the design of the replacement parts. Equivalent replacement parts to correct the unsafe condition under PMA (other than identity) may also be installed provided they meet current airworthiness standards, which include those actions cited in this AD.

### Alternative Methods of Compliance (AMOCs)

(g) The Manager, Fort Worth Airplane Certification Office, FAA, ATTN: Andrew McAnaul, Aerospace Engineer, ASW–150 (c/o MIDO–43), 10100 Reunion Place, Suite 650, San Antonio, Texas 78216; telephone: (210) 308–3365; facsimile: (210) 308–3370, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

### Related Information

(h) To get copies of the documents referenced in this AD, contact Air Tractor Inc., P.O. Box 485, Olney, Texas 76374;

telephone: (940) 564–5616; facsimile: (940) 564–5612. To view the AD docket, go to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC, or on the Internet at <http://dms.dot.gov>. The docket number is Docket No. FAA–2006–24710; Directorate Identifier 2006–CE–29–AD.

Issued in Kansas City, Missouri, on June 13, 2006.

**James E. Jackson,**

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

[FR Doc. E6–9639 Filed 6–19–06; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 39

[Docket No. FAA–2006–25079; Directorate Identifier 2006–NM–065–AD]

**RIN 2120–AA64**

### Airworthiness Directives; Airbus Model A310–300 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 Airbus Model A310–300 airplanes. This proposed AD would require replacing the existing non-return valve (NRV) of the auxiliary center tanks (ACTs) of the fuel system with a new, improved NRV. This proposed AD

results from a report that it was not possible to transfer fuel from ACTs 1 and 2 during flight, and no electronic centralized aircraft monitor warnings were triggered. Investigation revealed a faulty static inverter and blown fuse, resulting in failure of certain fueling bus bars and subsequent failure of the automatic ACT fuel transfer. We are proposing this AD to prevent these failures, combined with failure of the NRV to close. If the NRV is open during flight, the fuel supply to the engines may be reduced during cross-feed operation to the extent that fuel starvation could occur and result in engine flameout.

**DATES:** We must receive comments on this proposed AD by July 20, 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 Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for service information identified in this AD.

**FOR FURTHER INFORMATION CONTACT:** Tom Stafford, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1622; fax (425) 227-1149.

#### **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-2006-25079; Directorate Identifier 2006-NM-065-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**

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified us that an unsafe condition may exist on certain Airbus Model A310-300 series airplanes. The DGAC advises of receiving a report that it was not possible to transfer fuel from auxiliary center tanks (ACTs) 1 and 2 during flight, and no electronic centralized aircraft monitor warnings were triggered. Investigation revealed a faulty static inverter and blown fuse, resulting in failure of certain fueling bus bars and subsequent failure of the automatic ACT fuel transfer. In addition, there are known problems with certain non-return valves (NRVs) used throughout the fuel system, which could result in intermittent failure of the NRV to close. If the NRV is open during flight, the fuel supply to the engines may be reduced during cross-feed operation to the extent that fuel starvation could occur and result in engine flameout.

#### **Relevant Service Information**

Airbus has issued Service Bulletin A310-28-2158, dated September 1, 2005. The service bulletin describes procedures for replacing the existing

NRV with a new, improved NRV. Accomplishing the actions specified in the service information is intended to adequately address the unsafe condition. The DGAC mandated the service information and issued French airworthiness directive F-2005-197, dated December 7, 2005, to ensure the continued airworthiness of these airplanes in France.

The Airbus service bulletin refers to Lucas Air Equipment Service Bulletin C23AE01-28-01, Revision 1, dated July 20, 1994, as an additional source of service information for replacing the NRV.

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

These airplane models are manufactured in France and are 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 DGAC has kept the FAA informed of the situation described above. We have examined the DGAC's findings, evaluated all pertinent information, and determined that we need to issue an AD for 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 Airbus service information described previously.

#### **Costs of Compliance**

This proposed AD would affect about 11 airplanes of U.S. registry. The proposed replacement would take about 1 work hour per airplane, at an average labor rate of \$80 per work hour. Required parts would cost about \$368 per airplane. Based on these figures, the estimated cost of the proposed AD for U.S. operators is \$4,928, or \$448 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):

**Airbus:** Docket No. FAA-2006-25079; Directorate Identifier 2006-NM-065-AD.

#### Comments Due Date

- (a) The FAA must receive comments on this AD action by July 20, 2006.

#### Affected ADs

- (b) None.

### Applicability

(c) This AD applies to Airbus Model A310-304, -308, -324, and -325 airplanes, certificated in any category; equipped with auxiliary center tanks (ACTs); except those on which Airbus Modification 8928 has been done in production.

### Unsafe Condition

(d) This AD results from a report that it was not possible to transfer fuel from ACTs 1 and 2 during flight, and no electronic centralized aircraft monitor warnings were triggered. Investigation revealed a faulty static inverter and blown fuse, resulting in failure of certain fueling bus bars and subsequent failure of the automatic ACT fuel transfer. We are issuing this AD to prevent these failures, combined with failure of the non-return valve (NRV) to close. If the NRV is open during flight, the fuel supply to the engines may be reduced during cross-feed operation to the extent that fuel starvation could occur and result in engine flameout.

### 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.

### Replacement

(f) Within 15,000 flight hours after the effective date of this AD: Replace the existing NRV with a new, improved NRV by doing all the actions in accordance with the Accomplishment Instructions of Airbus Service Bulletin A310-28-2158, dated September 1, 2005.

**Note 1:** The Airbus service bulletin refers to Lucas Air Equipment Service Bulletin C23AE01-28-01, Revision 1, dated July 20, 1994, as an additional source of service information for replacing the NRV.

### Parts Installation

(g) As of the effective date of this AD, no person may install, on any airplane, a NRV having part number C23AE0102, unless it has been modified according to paragraph (f) of this AD.

### Alternative Methods of Compliance (AMOCs)

(h)(1) The Manager, International Branch, ANM-116, Transport Airplane Directorate, 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

(i) French airworthiness directive F-2005-197, dated December 7, 2005, also addresses the subject of this AD.

Issued in Renton, Washington, on June 14, 2006.

**Kalene C. Yanamura,**

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

[FR Doc. E6-9631 Filed 6-19-06; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 199

[DoD-OS-2006-0054]

**RIN 0720-AA98 (previously 0720-AA94)**

### TRICARE Program; Routine Care Not Directly Related to Study, Grant or Research Program

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule amends the exclusion of services and supplies provided as part of or under a research study, grant or research program to add coverage for routine patient care that would have been necessary in the absence of the study as well as care of complications that result from participation in the trial.

**DATES:** Written comments received at the address indicated below by August 21, 2006 will be accepted.

**ADDRESSES:** You may submit comments, identified by docket number and or RIN number and title, by any of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **Mail:** Federal Docket Management System Office, 1160 Defense Pentagon, Washington, DC 20301-1160.

**Instructions:** All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** René Morrell, Medical Benefits and Reimbursement Systems, TRICARE Management Activity, telephone (303) 676-3618.

**SUPPLEMENTARY INFORMATION:** TRICARE supplements the availability of health care in military hospitals and clinics.