

and the suspect is a director or member of a committee designated by the board of directors to receive notice of SAR filings, the credit union may not notify the suspect, pursuant to 31 U.S.C. 5318(g)(2), but must notify all directors who are not suspects.

(5) *Confidentiality of reports.* SARs are confidential. Any credit union, including its officials, employees, and agents, subpoenaed or otherwise requested to disclose a SAR or the information in a SAR must decline to produce the SAR or to provide any information that would disclose that a SAR was prepared or filed, citing this part, applicable law, for example, 31 U.S.C. 5318(g), or both, and notify NCUA of the request.

(6) *Safe Harbor.* Any credit union, including its officials, employees, and agents, that makes a report of suspected or known criminal violations and suspicious activities to law enforcement and financial institution supervisory authorities, including supporting documentation, are protected from liability for any disclosure in the report, or for failure to disclose the existence of the report, or both, to the full extent provided by 31 U.S.C. 5318(g)(3). This protection applies if the report is filed pursuant to this part or is filed on a voluntary basis.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2006-23739; Directorate Identifier 2005-NM-240-AD]

RIN 2120-AA64

Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes

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

ACTION: Proposed rule; withdrawal.

SUMMARY: The FAA withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD) for certain EMBRAER Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP airplanes. The proposed AD would have required modifying the routing of wire harness W407 near the fire extinguishing tube in the area of each engine, and installing

new supports for related wiring. Since the proposed AD was issued, we have received new data indicating that the identified unsafe condition does not exist. Accordingly, the proposed AD is withdrawn.

ADDRESSES: 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 U.S. Department of Transportation, 400 Seventh Street SW., Room PL-401, Washington, DC. This docket number is FAA-2006-23739; the directorate identifier for this docket is 2005-NM-240-AD.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1175; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Discussion

We proposed to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) with a notice of proposed rulemaking (NPRM) for a new AD for certain EMBRAER Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP airplanes. That NPRM was published in the **Federal Register** on February 2, 2006 (71 FR 5626). The NPRM would have required modifying the routing of wire harness W407 near the fire extinguishing tube in the area of each engine, and installing new supports for related wiring. The NPRM resulted from reports of chafing of wire harness W407 against the supports and nacelle structure in the engine area. The proposed actions were intended to prevent such chafing, which could result in an engine shutting down during flight.

Actions Since NPRM Was Issued

Since we issued the NPRM, the airplane manufacturer, EMBRAER, has provided additional information concerning the unsafe condition identified in the NPRM. EMBRAER Service Bulletin 145-71-0008, Change 01, dated July 24, 2001 (which was referenced as the appropriate source of service information for accomplishing the proposed actions), addressed chafing of wire harness W407 on the left- and right-hand engines. However, EMBRAER subsequently indicates that the objective of that service bulletin was

not considered to be a means to avoid in-flight shutdown (IFSD) and, in fact, wire harness W407 is not engine control related. The harness is related to the engine lip anti-ice system, starter control valve, engine fire detection system, and engine bleed air extraction systems. None of these systems are possible contributors to an uncommanded IFSD. In addition, reported IFSD events in the EMB-145 fleet related to chafing of a different harness—the engine control harness—are associated with the engine manufacturer-provided harness, which is not the subject of EMBRAER Service Bulletin 145-71-0008.

EMBRAER states that chafing (among other things) of the engine control system harness can cause internal failure of the full authority digital engine control (FADEC), which leads to a fuel shutoff valve closure command. However, in May 2001, EMBRAER introduced FADEC internal modifications for airplanes in production to prevent an inadvertent IFSD. Also, for FADECs manufactured before May 2001, Rolls-Royce, the engine manufacturer, developed an external adapter with the same design objectives as those of EMBRAER's internal modifications. These adapters have already been sent to operators to install in their affected airplanes. EMBRAER adds that the engine inspection tasks from the airplane maintenance program have been revised and improved, as well as the engine harness inspection and installation tasks in the aircraft maintenance manual (AMM).

FAA's Conclusions

Upon further consideration, we have determined that the unsafe condition identified in the NPRM does not exist. Accordingly, the NPRM is withdrawn.

We have coordinated this action with the Departamento de Aviação Civil (DAC), which is the airworthiness authority for Brazil. The DAC indicates it is considering cancelling its related airworthiness directive, 2005-10-05, which was effective November 17, 2005.

Withdrawal of the NPRM does not preclude the FAA from issuing another related action or commit the FAA to any course of action in the future.

Regulatory Impact

Since this action only withdraws an NPRM, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, we withdraw the NPRM, Docket No. FAA-2006-23739; Directorate Identifier 2005-NM-240-AD, which was published in the **Federal Register** on February 2, 2006 (71 FR 5626).

Issued in Renton, Washington, on June 21, 2006.

Kalene C. Yanamura,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2006-24449; Airspace Docket No. 06-AGL-03]

Proposed Modification of Class E Airspace; Pierre, SD

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to modify Class E airspace at Pierre, SD. Standard Instrument Approach Procedures to several Runways have been developed for the Pierre Regional Airport. Controlled airspace extending upward from the surface of the earth is needed to contain aircraft executing these approaches. This action modifies the existing radius of Class E airspace, for Pierre Regional Airport.

DATES: Comments must be received on or before August 20, 2006.

ADDRESSES: Send comments on the proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the Docket Number FAA-2006-24449/ Airspace Docket No. 06-AGL-03, at the beginning of your comments. You may also submit comments on the internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the Air Traffic Division, Airspace Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

FOR FURTHER INFORMATION CONTACT: Steve Davis, FAA Terminal Operations, Central Service Area Office, Airspace and Procedures Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7131.

SUPPLEMENTARY INFORMATION:**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this document must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2006-24449/Airspace Docket No. 06-AGL-03." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this document may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Regional Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the Superintendent of Document's Web page at <http://www.access.gpo.gov/nara>.

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

The Proposal

The FAA is considering an amendment to 14 CFR part 71 to modify Class E airspace at Pierre, SD, by modifying Class E airspace for the Pierre Regional Airport. Controlled airspace extending upward from the surface of the earth is needed to contain aircraft executing instrument approach procedures. The area would be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005, and Class E airspace areas designated as surface areas are published in Paragraph 6002, of FAA Order 7400.9N dated September 1, 2005, and effective September 16, 2005, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an establishment body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore this, proposed regulation—(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) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).