Federal Aviation Administration
Aviation Rulemaking Advisory Committee

Transport Airplane and Engine Issue Area
Propeller Harmonization Working Group
Task 1 – Part 35 Critical Part Integrity

concurrence with the proposal, including supporting data.

Please send two (2) copies of your comments to one of the addresses listed in the **ADDRESSES** section of this document.

All comments submitted will be available for public viewing either in person or online, including any personal information you provide. Please refer to the PRIVACY section of this document.

Issued in Washington, DC on December 12, 2006.

Richard Thoma,

Director, Safety and Operations Support Office, Technical Operations Services.

[FR Doc. 06–9776 Filed 12–19–06; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Aviation Rulemaking Advisory Committee; Transport Airplane and Engine Issue Area—New Task

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of a new task assignment for the Aviation Rulemaking Advisory Committee (ARAC).

SUMMARY: Notice is given of a new task assignment for the Aviation Rulemaking Advisory Committee (ARAC). This notice is to inform the public of this ARAC activity and solicit membership to a new Propeller Harmonization Working Group to support ARAC in developing advice and recommendations on this new task.

FOR FURTHER INFORMATION CONTACT: Jay Turnberg, Rulemaking and Policy Branch, Engine and Propeller Directorate, ANE–110, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (781) 238–7116; facsimile (781) 238–7199; e-mail *jay.turnberg@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

On January 22, 1991 (56 FR 2190), the Federal Aviation Administration (FAA) established the Aviation Rulemaking Advisory Committee (ARAC) to provide advice and recommendations to the FAA Administrator on the FAA's rulemaking activities for aviation-related issues. This includes obtaining advice and recommendations on the FAA's commitments to harmonize Title 14 of the Code of Federal Regulations (14 CFR) with its partners in Europe, Canada, and Brazil.

In order to develop such advice and recommendations, the ARAC may choose to establish a working group to which a specific task is assigned. The working group would be comprised of experts from those organizations having an interest in the assigned task. A working group member need not be a representative of the full committee. For this task, ARAC has chosen to establish a new Propeller Harmonization Working Group.

In 1999, the Propeller Harmonization Working Group (PHWG) reached consensus on a harmonized version of part 35 and JAR–P, with a few exceptions, and submitted those proposed requirements to the ARAC. The PHWG has been inactive for a number of years. Because ARAC was unable to reach consensus on a propeller critical parts requirement, the FAA decided to table the issue for re-evaluation at a future date. Subsequently, the European Aviation Safety Agency (EASA) published CS–P 160 Propeller Critical Parts Integrity rule. The FAA does not have a similar requirement; however, we believe a requirement for propeller critical parts warrants consideration for inclusion in 14 CFR part 35. We have asked ARAC to address this new task as part of the Transport Airplane and Engine (TAE) Issues. ARAC has decided to establish a new Propeller Harmonization Working Group to support this activity.

The Task

The ARAC has accepted the task to provide information about specific propeller critical parts integrity requirements for part 35, and make recommendations for revising part 35 and guidance material, as appropriate. The Propeller Harmonization Working Group (PHWG) will—

1. Review the background and intent of relevant existing requirements, existing guidance material, related ARAC recommendations on part 35, and the current EASA requirements for propeller critical parts integrity.

2. Develop a report containing recommendations for rulemaking or guidance material, or both, and explain the rationale and safety benefits for each proposed change. The report will define a standardized approach for applying specific propeller critical parts integrity in the appropriate circumstances. The FAA will define the report format to ensure the report contains the necessary information for developing a Notice of Proposed Rulemaking (NPRM), Advisory Circular (AC), or both.

3. Make recommendations to ARAC for acceptance and submission to the FAA.

If a NPRM or proposed AC is published for public comment as a result of the recommendations from this tasking, the FAA may ask ARAC to review the comments received and provide a recommendation for disposition of comments for each issue.

ARAC Acceptance of Task

ARAC accepted the task and will establish a new Propeller Harmonization Working Group to serve as staff to the ARAC and assist in the analysis of the task. ARAC must review and approve the working group's recommendations. If ARAC accepts the working group's recommendations, it will forward them to the FAA. The FAA will submit the recommendations it receives to the agency's Rulemaking Management Council to address the availability of resources and prioritization.

Working Group Activity

The PHWG must comply with the procedures adopted by ARAC. As part of the procedures, the working group must:

1. Recommend a work plan for completion of the task, including the rationale supporting such a plan, for consideration at the next meeting of ARAC on Transport Airplane and Engine Issues held following publication of this notice.

2. Give a detailed conceptual presentation on the proposed recommendation(s), before continuing with the work stated in item 3 below.

3. If proposed rule changes are recommended, provide supporting economic and other required analyses. If new or revised requirements or compliance methods are not recommended, provide a draft report stating the rationale for not making such recommendations; and

4. Provide a status report at each meeting of the ARAC held to consider propeller critical parts integrity issues.

Participation in the Working Group

The PHWG will be comprised of technical experts having an interest in the assigned task. A working group member does not need to be a representative or member of ARAC. The PHWG membership will have broad propeller critical parts integrity experience. As needed, the PHWG may organize, oversee, guide, and monitor the activities and progress of task groups comprised of subject matter experts (SMEs).

If you have expertise in the subject matter and wish to become a member of the working group, contact the person listed under the caption **FOR FURTHER**

INFORMATION CONTACT. Describe your interest in the task and state the expertise you would bring to the working group. We must receive all requests by January 24, 2007. The assistant chair, the assistant executive director, and the FAA representative will review the requests and notify you if your request is approved.

If you are chosen for membership on the working group, you must represent your aviation community segment and actively participate in the working group by attending all meetings and provide written comments when requested to do so. You must devote the resources necessary to support the working group in meeting any assigned deadlines. You must keep your management chain and those you may represent advised of working group activities and decisions to ensure the proposed technical solutions don't conflict with your sponsoring organization's position when the subject being negotiated is presented to ARAC for approval. Once the working group has begun deliberations, members will not be added or substituted without the approval of the assistant chair, the assistant executive director, and the working group chair.

The Secretary of Transportation determined that the formation and use of the ARAC is necessary and in the public interest in connection with the performance of duties imposed on the FAA by law.

Meetings of the ARAC are open to the public. Meetings of the PHWG will not be open to the public, except to the extent individuals with an interest and expertise are selected to participate. The FAA will make no public announcement of working group meetings.

Issued in Washington, DC, on December 13, 2006.

Pamela Hamilton-Powell,

Executive Director, Aviation Rulemaking Advisory Committee.

[FR Doc. E6–21651 Filed 12–19–06; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Revision of the Cancellation of Preparation of Environmental Impact Statement (EIS) for Ontario International Airport, Ontario, San Bernardino County, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Revision of Notice of Cancellation of Preparation of Environmental Impact Statement.

SUMMARY: On December 1, 2006, the FAA terminated preparation of the EIS at Ontario International Airport (ONT) since there are no proposed projects ripe for review. Los Angeles World Airports, the airport owner, will continue to prepare a master plan for ONT.

FOR FURTHER INFORMATION CONTACT: Victor Globa, Environmental Protection Specialist, Federal Aviation Administration, Los Angeles Airports District Office, P.O. Box 92007, Los Angeles, California 90009–2007, Telephone: (310) 725–3637.

SUPPLEMENTARY INFORMATION: On December 1, 2006, the FAA issued a notice announcing it was canceling preparation of an EIS for Ontario International Airport, Ontario, San Bernardino County, California in the **Federal Register** (71 FR 74573). FAA is revising its notice to clarify Los Angeles World Airports will continue to prepare a master plan for ONT.

Dated: Issued In Hawthorne, California, on December 13, 2006.

Mark A. McClardy,

Manager, Airports Division, Western-Pacific Region, AWP–600.

[FR Doc. 06–9783 Filed 12–19–06; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2005–22842]

Military Airport Program (MAP) Application; Extension of Application Deadline

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

ACTION: Notice of extension of application deadline for participation in the Military Airport Program (MAP) for the fiscal year 2007.

SUMMARY: The Federal Aviation Administration (FAA) is extending to January 19, 2007, the date to submit an application for the MAP. The original notice, Notice of Opportunity to Participate, criteria requirements and application procedure for participation in the MAP appeared in the **Federal Register** on October 16, 2006 (71 FR 60791). In that Notice of Opportunity to Participate, FAA requested applications be received on or before November 27, 2006. The agency is taking this action in response to requests for an application deadline extension to allow interested persons additional time to submit applications.

DATES: Submit applications by January 19, 2007.

ADDRESSES: Submit an original and two copies of *Standard Form (SF) 424*, ''Application for Federal Assistance,'' prescribed by the Office of Management and Budget Circular A–102, available at *http://www.faa.gov/arp/ace/forms/sf424.doc,* along with any supporting and justifying documentation. Applicant should specifically request to be considered for designation or redesignation to participate in the fiscal year 2007 MAP. Submission should be sent to the Regional FAA Airports Division or Airports District Office that serves the airport. Applicants may find the proper office on the FAA Web site *http://www.faa.gov/arp/regions.cfm?nav=regions* or may contact the office below.

FOR FURTHER INFORMATION CONTACT: Mr. Ball (*Kendall.Ball@faa.gov*), Airports Financial Assistance Division (APP–500), Office of Airport Planning and Programming, Federal Aviation Administration (FAA), 800 Independence Avenue, SW., Washington, DC 20591, (202) 267–7436.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of October 16, 2006 (71 FR 60791), FAA published a notice of Opportunity to Participate, criteria requirements and application procedure for designation or redesignation in the MAP.

The agency has received multiple requests for an extension of the date to submit an application. FAA has considered the requests and is extending the date to submit an application for 30 days, until January 19, 2007. The agency believes that a 30-day extension allows adequate time for interested persons to submit applications without significantly delaying the implementation of the MAP.

Dated: December 14, 2006.

James R. White,

Acting Director, Officer of Airport Planning and Programming.

[FR Doc. 06–9782 Filed 12–19–06; 8:45 am]

BILLING CODE 4910–13–M

Pratt & Whitney
400 Main Street
East Hartford, CT 06108

Pratt & Whitney
A United Technologies Company

April 6, 2009

Federal Aviation Administration
800 Independence Avenue, SW
Washington, D.C. 20591

Attention: Ms. Margaret Gilligan, Associate Administrator for Aviation Safety

Subject: ARAC Recommendation, Propeller Critical Parts

Reference: ARAC Tasking, FR Doc E6-21651, December 20, 2006 Federal Register

Dear Peggy,

The Transport Airplane and Engine Issues Group and the Propeller Harmonization Working Group for Propeller Critical Parts are pleased to submit the attached reports as an ARAC recommendation. These documents address the reference tasking in which the Working Group was asked to provide recommendations on revising Part 35 and guidance material to address propeller critical parts integrity. There is full consensus from the Working Group and TAEIG on this recommendation.

Sincerely yours,

Craig R. Bolt

C. R. Bolt
Assistant Chair, TAEIG

Copy: Mike Kaszycki – FAA-NWR
Jay Turnberg – FAA-NER
James Wilborn – FAA-NWR
Ralen Gao – FAA-Washington, D.C. – Office of Rulemaking
Richard Edinger – Hartzell Propeller – PHWG Chair

U.S. Department
of Transportation

**Federal Aviation
Administration**

800 Independence Ave., S.W
Washington, D.C. 20591

JUL 29 2009

Mr. Craig R. Bolt
Assistant Chair, Aviation Rulemaking
Advisory Committee
Pratt & Whitney
400 Main Street, Mail Stop 162-14
East Hartford, CT 06108

Dear Mr. Bolt:

This is in reply to your April 6, 2009 letter. Your letter transmitted to the FAA the Aviation Rulemaking Advisory Committee's (ARAC) recommendations regarding revising Part 35 and guidance material to address propeller critical parts integrity. I understand that members of the Propeller Harmonization Working Group (PHWG) reached consensus and the report was approved unanimously by the Transport Airplane and Engine Issues Group (TAEIG).

I wish to thank the ARAC, particularly the members associated with TAEIG and its PHWG that provided resources to develop the report and recommendation. The report will be placed on the ARAC website at:
http://www.faa.gov/regulations_policies/rulemaking/committees/arac/.

We consider your submittal of the PHWG report as completion of our December 20, 2006 tasking. We will keep the committee apprised of the agency's efforts on this recommendation through the FAA report at future ARAC meetings.

Sincerely,

Pamela Hamilton-Powell
Director, Office of Rulemaking

December 11, 2008

Craig Bolt
Director, Validation and Certification
Pratt & Whitney
400 Main St.
East Hartford, CT 06033

Subject: Final Report of the Propeller Harmonization Working Group for Propeller Critical Parts

Reference: Federal Register document FR Doc E6-21651 dated December 20, 2006 (Volume 71, Number 244), pages 76422-76423, announce the formation of a Propeller Critical Parts Harmonization Team

Dear Craig,

The Propeller Harmonization Working Group for Propeller Critical Parts (PHWG) has completed the assignment given in the Federal Register. The task defined in Federal Register Docket E6-21651 dated December 20, 2006, reads as follows:

The ARAC has accepted the task to provide information about specific propeller critical parts integrity requirements for part 35, and make recommendations for revising part 35 and guidance material, as appropriate. The Propeller Harmonization Working Group (PHWG) will--

1. Review the background and intent of relevant existing requirements, existing guidance material, related ARAC recommendations on part 35, and the current EASA requirements for propeller critical parts integrity.

2. Develop a report containing recommendations for rulemaking or guidance material, or both, and explain the rationale and safety benefits for each proposed change. The report will define a standardized approach for applying specific propeller critical parts integrity in the appropriate circumstances. The FAA will define the report format to ensure the report contains the necessary information for developing a Notice of Proposed Rulemaking (NPRM), Advisory Circular (AC), or both.

3. Make recommendations to ARAC for acceptance and submission to the FAA.

If a NPRM or proposed AC is published for public comment as a result of the recommendations from this tasking, the FAA may ask ARAC to review the comments received and provide a recommendation for disposition of comments for each issue.

The team was formed of interested persons from McCauley, Hamilton Sunstrand, Hartzell Propeller, MT Propeller, Sensenich, and FAA. EASA, Transport Canada, and Brazil declined direct participation. Dowty and EASA participated informally. The PHWG members met for the first time in July 2007 and have met a total of 4 times in accomplishing its assignment.

In accomplishing its duties, the PHWG sought out and considered the contribution of its formal members as well as the informal participants identified above.

The PHWG for Propeller Critical Parts accomplished task 1 in the Federal Register assignment by thoroughly reviewing and discussing the relevant existing documents. The primary documents considered were those published by FAA and EASA that applied to propellers and engines. These documents included the regulations and advisory materials contained in the CS-P, CS-E, the Part 33 NPRM for Critical Parts, and the Part 35 NPRM containing a complete rewrite of the Part 35 propeller certification rules.

From the reviews, the PHWG for Critical Parts developed the following materials. These materials are attached to this document.

1) A draft NPRM announcing a proposed rule for "CFR 14 Part 35.16 Propeller Critical Parts". The same draft NPRM also contains a request to modify the version of "CFR 14 Part §35.15(c) Safety Analysis" published in the Part 35 NPRM so that it identifies Propeller Critical Parts and establishes that these parts must meet the requirements of the proposed §35.16 Propeller Critical Parts rule.
2) A proposed Advisory Circular to clarify implementation of the rule.
3) The final report of the PHWG for Critical Parts.

This submittal satisfies tasks 2 and 3 above by providing the PHWG report that explains the rationale and safety benefits for the proposed change and makes a recommendation to ARAC.

The PHWG for Critical Parts awaits further questions or instruction from ARAC including a request from ARAC to review and recommend disposition of comments received from an NPRM published on this topic.

Regards,

Richard Edinger
Chairman - Propeller Harmonization Working Group

Attachments:
Final Report of the PHWG for Critical Parts
Draft Notice Proposed Rulemaking 35.16
Draft Advisory Circular 35.16

Report to the ARAC from the PHWG for Critical Parts

Subject: Final Report of the Propeller Harmonization Working Group for Propeller Critical Parts

Reference: Federal Register document FR Doc E6-21651 dated December 20, 2006 (Volume 71, Number 244), pages 76422-76423, announce the formation of a Propeller Critical Parts Harmonization Team

Craig Bolt;

The Propeller Harmonization Working Group for Propeller Critical Parts (PHWG) has completed the assignment given in the Federal Register. The task defined in Federal Register Docket E6-21651 dated December 20, 2006, reads as follows:

> The ARAC has accepted the task to provide information about specific propeller critical parts integrity requirements for part 35, and make recommendations for revising part 35 and guidance material, as appropriate. The Propeller Harmonization Working Group (PHWG) will--
>
> 1. Review the background and intent of relevant existing requirements, existing guidance material, related ARAC recommendations on part 35, and the current EASA requirements for propeller critical parts integrity.
> 2. Develop a report containing recommendations for rulemaking or guidance material, or both, and explain the rationale and safety benefits for each proposed change. The report will define a standardized approach for applying specific propeller critical parts integrity in the appropriate circumstances. The FAA will define the report format to ensure the report contains the necessary information for developing a Notice of Proposed Rulemaking (NPRM), Advisory Circular (AC), or both.
> 3. Make recommendations to ARAC for acceptance and submission to the FAA.
>
> If a NPRM or proposed AC is published for public comment as a result of the recommendations from this tasking, the FAA may ask ARAC to review the comments received and provide a recommendation for disposition of comments for each issue.

The team was formed of interested persons from McCauley, Hamilton Sunstrand, Hartzell Propeller, MT Propeller, Sensenich, and FAA. EASA, Transport Canada and Brazil declined direct participation. Dowty and EASA participated informally. The PHWG members met for the first time in July 2007 and have met a total of 4 times in accomplishing its assignment.

In accomplishing its duties, the PHWG sought out and considered the contribution of its formal members as well as the informal participants identified above.

The PHWG for Propeller Critical Parts accomplished task 1 in the Federal Register assignment by thoroughly reviewing and discussing the relevant existing documents. The primary documents considered were those published by FAA and EASA that applied to propellers and engines. These documents included the regulations and advisory materials contained in the CS-P, CS-E, the Part 33 NPRM for Critical Parts and the Part 35 NPRM containing a complete rewrite of the Part 35 propeller certification rules.

From these reviews, the PHWG developed a proposed rule for CFR 14 Part 35.16 titled "Propeller Critical Parts", as well as proposed advisory material to clarify implementation of the rule and a proposal to modify the proposed § 35.15(c) Safety Analysis from the published Part 35 NPRM to identify propeller critical parts and to establish that these parts need to meet the requirements of the proposed §35.16 Propeller Critical Parts rule. It is anticipated that the revised Part 35 rules will be published prior to an NPRM being issued for the proposed Propeller Critical Parts rule.

This report satisfies tasks 2 and 3 above by providing the PHWG report that explains the rationale and safety benefits for the proposed change and makes a recommendation to ARAC. The report containing the proposed rule and advisory material is attached to this document.

The PHWG for Critical Parts awaits further questions or instruction from ARAC including a request from ARAC to review and recommend a disposition of comments received from an NPRM published on this topic.

Regards,

Richard Edinger
Chairman - Propeller Harmonization Working Group

Attachments:
Final Report …..
Proposed NPRM….
Proposed Advisory…

Final Report
Propeller Harmonization Working Group

1. Background

a. SAFETY ISSUE ADDRESSED/STATEMENT OF THE PROBLEM

(1) What prompted this rulemaking activity (e.g., accident, accident investigation, NTSB recommendation, new technology, service history, etc.)? What focused our attention on the issue?

EASA contains a Propeller Critical Parts Rule (CS-P160) and an Engine Critical Parts Rule (CS-E515). FAA has § 33.70 Engine life-limited parts that reads much like the EASA CS-E Critical Parts regulation. Currently there is not a Propeller Critical Parts requirement in 14 CFR Part 35.

The Federal Register announced the formation of the Propeller Harmonization Working Group for Critical Parts (PHWG). The Federal Register defined the task as follows:

> ***The ARAC has accepted the task to provide information about specific propeller critical parts integrity requirements for part 35, and make recommendations for revising part 35 and guidance material, as appropriate. The Propeller Harmonization Working Group (PHWG) will —***
>
> ***1. Review the background and intent of relevant existing requirements, existing guidance material, related ARAC recommendations on part 35, and the current EASA requirements for propeller critical parts integrity.***
>
> ***2. Develop a report containing recommendations for rulemaking or guidance material, or both, and explain the rationale and safety benefits for each proposed change. The report will define a standardized approach for applying specific propeller critical parts integrity in the appropriate circumstances. The FAA will define the report format to ensure the report contains the necessary information for developing a Notice of Proposed Rulemaking (NPRM), Advisory Circular (AC), or both.***
>
> ***3. Make recommendations to ARAC for acceptance and submission to the FAA.***
>
> ***If a NPRM or proposed AC is published for public comment as a result of the recommendations from this tasking, the FAA may ask ARAC to review the comments received and provide a recommendation for disposition of comments for each issue.***

(2) What is the underlying safety issue to be addressed in this proposal?

Propellers contain components whose primary failure can result in a hazardous propeller effect. It is appropriate for a manufacturer to have, and to impose requirements on those components that relate to flight-safety.

(3) What is the underlying safety rationale for the requirement?

The rationale of the proposed rule is to reduce the likelihood of primary failures that would result in hazardous propeller effects.

(4) Why should the requirement exist?

This regulation is necessary in order to harmonize with the EASA CS-P160.

b. Current Standards or Means to Address

(1) What are the current regulations relative to this subject? (Include both the FAR's and CS-P's.)

EASA has two pertinent regulations regarding the treatment of critical parts. They are CS-P160 for propellers and CS-E515 for engines. In addition EASA has two pertinent regulations for the identification of critical parts CS-P150 and CS-E510.

FAA has § 33.70 Engine life-limited parts that reads much like the EASA CS-E Critical Parts regulation.

There is no Critical Parts requirement in CFR 14 Part 35 for Propellers.

	Engine Critical Parts Rule	Propeller Critical Parts Rule
EASA	CS-E510 and CS-E515 Published for Turbine Engines	CS-P150 and CS-P160 Published
FAA	§ 33.70 Engine life-limited parts	Federal Register announcement assigned ARAC to propose a regulation and advisory for 35.16

(2) How have the regulations been applied? (What are the current means of compliance?) If there are differences between the FAR and JAR, what are they and how has each been applied? (Include a discussion of any advisory material that currently exists.)

The EASA regulation is very new and the committee believes this regulation has not yet been applied to any propeller.

(3) What has occurred since those regulations were adopted that has caused us to conclude that additional or revised regulations are necessary? Why are those regulations now inadequate?

It was observed that 14 CFR part 35 lacked a Propeller Critical Parts requirement and therefore does not harmonize with the CS-P.

(4) What means, if any, have been used in the past to ensure that this safety issue is addressed? Has the FAA relied on issue papers? Special Conditions? Policy statements? Certification action items? Has the EASA relied on Certification Review Items? Interim Policy? If so, reproduce the applicable text from these items that is relative to this issue.

This is a new requirement.

(5) Why are those means inadequate? Why is rulemaking considered necessary (i.e., do we need a general standard instead of addressing the issue on a case-by-case basis?)?

Not applicable

2. Discussion or Proposal

a. Section-by-Section Description of Proposed Action

(1) What is the proposed action? Is the proposed action to introduce a new regulation, revise the existing regulation, or to take some other action?

A new regulation and a modified regulation and new Advisory Circular is proposed.

(2) If regulatory action is proposed, what is the text of the proposed regulation?

1. Revise proposed § 35.15(c) to read as follows:

§ 35.15 Safety analysis.

**** * * * ****

(c) The primary failures of certain single elements (for example, blades) cannot be sensibly estimated in numerical terms. If the failure of such elements is likely to result in hazardous propeller effects, they will be identified as Propeller Critical Parts and reliance must be placed on meeting the prescribed integrity specifications of §35.16. ~~then compliance may be shown by reliance on the prescribed integrity requirements of this part.~~ These instances must be stated in the safety analysis.

2. Add § 35.16 to read as follows:

35.16 Propeller Critical Parts
The integrity of the Propeller Critical Parts identified under CFR 14 Part 35.15 must be established by:
a) A defined Engineering process for ensuring the integrity of Propeller Critical Parts throughout their service life.
b) A defined Manufacturing process that identifies the requirements to consistently produce Propeller Critical Parts as required by the Engineering process.
c) A defined Service Management process that identifies the Continued Airworthiness Requirements of Propeller Critical Parts as required by the Engineering process.

(3) If this text changes current regulations, what change does it make? For each change:

- What is the reason for the change?

The text to proposed §35.15 Safety Analysis should be modified to harmonize with CS-P150. Propeller critical parts are identified in §35.15.

- What is the effect of the change?

This change links the safety analysis to the critical parts rule.

(4) If not answered already, how will the proposed action address (i.e., correct, eliminate) the underlying safety issue (identified previously)?

The proposed action requires the manufacturer to identify Propeller Critical Parts, and to provide adequate information for designing, manufacturing and maintaining those parts to ensure their integrity throughout their service life.

(5) Why is the proposed action superior to the current regulations?

Section 35.15 introduces the concept of a Propeller Critical Part.

Section 35.16 establishes criteria for maintaining the integrity of Propeller Critical Parts.

This action harmonizes with EASA CS-P150 and CS-P160.

b. Alternatives Considered

(1) What actions did the working group consider other than the action proposed? Explain alternative ideas and dissenting opinions.

During much of the PHWG deliberations; there was an expectation that critical attributes would be clearly identified as such on the propeller engineering, manufacturing and support documentation. In fact the PHWG believed that the specific identification of critical attributes was the central role of a robust critical parts rule.

As discussed below, this requirement was eventually rejected as it became evident that the EASA CS-P did not contain this requirement.

(2) Why was each action rejected (e.g., cost/benefit? unacceptable decrease in the level of safety? lack of consensus? etc.)? Include the pros and cons associated with each alternative.

The PHWG held a conference call with the EASA contact, and it appeared to the PHWG that a requirement to require the specific identification of critical attributes would be a significant and unwelcome departure from the CS-P. Certain other committee members or consultants were unsupportive of a critical attribute requirement that is beyond the requirement of the EASA CS-P.

Since one of the PHWG's purposes, as inherently identified by its name, was to harmonize requirements (in this case, to the CS-P), and since it appeared that EASA will be unwilling to consider this additional requirement, the PHWG agreed to eliminate the requirement to specifically identify critical attributes.

c. HARMONIZATION STATUS

(1) Is the proposed action the same for the FAA and the EASA?

The proposed action is intended to be equivalent to the EASA CS-P150 and CS-P160.

(2) If the proposed action differs for the EASA, explain the proposed EASA action.

Although the rules are considered harmonized, for clarity and consistency of application, it is recommended that EASA adopt the proposed rule and advisory contained in this report.

(3) If the proposed action differs for the EASA, explain why there is a difference between FAA and EASA proposed action (e.g., administrative differences in applicability between authorities).

Although the proposed action does not differ from the EASA CS-P, the PHWG replaced the term "plan" used in the EASA CS-P160 advisory material with the term "process". This change resulted from a concern that the use of the term "plan" might infer a requirement that a "part-specific" document would be required. The PHWG deliberately intended to keep the form of compliance flexible. For example, the PHWG believes that compliance could consist of a company procedure manual that describes that company's procedure governing propeller critical parts.

3. Costs and Other Issues

a. Costs Associated with the Proposal

(1) Who would be affected by the proposed change? How? (Identify the parties that would be materially affected by the rule change – airplane manufacturers, airplane operators, etc.)

Propeller manufacturers are primarily those affected by the proposed regulation. Their actions however will affect propeller repair stations, and to a lesser degree, A&P mechanics and owners/operators.

(2) What is the cost impact of complying with the proposed regulation? Provide any information that will assist in estimating the costs (either positive or negative) of the proposed rule.

All propeller companies under direct FAA or EASA supervision are believed to already have in place, procedures that meet much of this requirement. Some additional effort is expected to modify procedures that are not in place and to develop documents to show compliance.

b. Other Issues

(1) Will small businesses be affected? (In general terms, "small businesses" are those employing 1,500 people or less. This question relates to the Regulatory Flexibility Act of 1980 and the Small Business Regulatory Enforcement Fairness Act of 1996.]

Yes. Although those companies are believed to already have in place, procedures that meet much of this requirement. Some additional effort is expected to modify procedures that are not in place and to develop documents to show compliance.

(2) Will the proposed rule require affected parties to do any new or additional record keeping? If so, explain. [This question relates to the Paperwork Reduction Act of 1995.]

It is believed that all propeller companies under direct FAA or EASA supervision are keeping the appropriate records that meet this requirement.

(3) Will the proposed rule create any unnecessary obstacles to the foreign commerce of the United States -- i.e., create barriers to international trade? [This question relates to the Trade Agreement Act of 1979.]

No

(4) Will the proposed rule result in spending by State, local, or tribal governments, or by the private sector, that will be $100 million or more in one year? [This question relates to the Unfunded Mandates Reform Act of 1995.]

No

4. Advisory Material

(1) Is existing FAA or EASA advisory material adequate? Is the existing FAA and EASA advisory material harmonized?

FAA has no existing advisory material. The PHWG believed the EASA CS-P160 advisory material, although reasonably good, required additional clarification.

(2) If not, what advisory material should be adopted? Should the existing material be revised, or should new material be provided?

The PHWG developed a proposed advisory circular to clarify the proposed regulation.

(3) Insert the text of the proposed advisory material here (or attach), or summarize the information it will contain, and indicate what form it will be in (e.g., Advisory Circular, Advisory Circular – Joint, policy statement, FAA Order, etc.)

The proposed advisory circular is attached.

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration
14 CFR Part 35
Docket No. FAA-YYYY- ; Notice No.
RIN 2120-XXXXX

Critical Parts for Airplane Propellers

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The Federal Aviation Administration (FAA) is proposing to amend the airworthiness standards for airplane propellers to establish a new requirement for propeller critical parts. This proposal would require the identification of propeller critical parts and require the integrity of those parts be achieved by a system of engineering, manufacturing and service management processes that identifies and manages these parts throughout their service life. The proposed standards would provide an FAA requirement that harmonizes with the current European Aviation Safety Agency (EASA) propeller critical parts requirement, thereby simplifying airworthiness approvals for exports.

DATES: *TDB*

ADDRESSES: *TBD*

FOR FURTHER INFORMATION CONTACT: Jay Turnberg, Engine and Propeller Directorate Standards Staff, ANE-110, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts, 01803-5299; telephone (781) 238-7116; facsimile (781) 238-7199, email: jay.turnberg@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

On January 22, 1991 (56 FR 2190), the Federal Aviation Administration (FAA) established the Aviation Rulemaking Advisory Committee (ARAC) to provide advice and recommendations to the FAA Administrator on the FAA's rulemaking activities for aviation-related issues. This included obtaining advice and recommendations on the FAA's commitments to harmonize Title 14 of the Code of Federal Regulations (14 CFR) with its partners in Europe, Canada, and Brazil. In order to develop such advice and recommendations on 14 CFR part 35, the ARAC choose to establish a working group, the Propeller Harmonization Working Group (PHWG), tasked with reviewing, harmonizing and recommending proposed changes to 14 CFR part 35.

In 1999, the PHWG reached consensus on a harmonized version of part 35 and JAR-P, with a few exceptions, and submitted those proposed requirements to the ARAC. One of the exceptions was a propeller critical parts requirement. The PHWG was unable to reach consensus, so the FAA decided to table the issue for re-evaluation at a future date. Subsequently, the European Aviation Safety Agency (EASA) published CS-P 160 Propeller Critical Parts Integrity rule. The FAA does not have a similar requirement; however, we believe a requirement for propeller critical parts warrants consideration for inclusion in 14 CFR part 35. We asked ARAC to address propeller critical parts as part of the Transport Airplane and Engine Issues, and ARAC decided to establish a new Propeller Harmonization Working Group to support this activity. The PHWG was comprised of technical experts having an interest in the assigned task. The PHWG included members from industry and government from Europe and the United States.

The FAA tasked ARAC on December 20, 2006 (71 FR 76422). The Propeller Harmonization Working Group (PHWG) for Critical Parts was formed to accomplish the task. That document stated the Propeller Harmonization Working Group would:

1. Review the background and intent of relevant existing requirements, existing guidance material, related ARAC recommendations on part 35, and the current EASA requirements for propeller critical parts integrity.

2. Develop a report containing recommendations for rulemaking or guidance material, or both, and explain the rationale and safety benefits for each proposed change. The report would define a standardized approach for applying specific propeller critical parts integrity in the appropriate circumstances. The FAA would also define the report format to ensure the report contains the necessary information for developing a Notice of Proposed Rulemaking (NPRM), Advisory Circular (AC), or both.

3. Make recommendations to ARAC for acceptance and submission to the FAA.

4. If a NPRM or proposed AC is published for public comment as a result of the recommendations from this tasking, the FAA might ask ARAC to review the comments received and provide a recommendation for disposition of comments for each issue.

The PHWG reviewed the background and intent of relevant existing requirements and guidance material, including EASA requirements for propeller critical parts integrity. The committee focused most heavily on the EASA CS-P Critical Parts rule and advisory material for which the committee attempted to harmonize. Based on this review the PHWG proposed a critical parts requirement that harmonizes with the EASA requirements.

Reference Material

The PHWG relied on the following material as a basis for this proposed rule:

1. Certification Specifications for Propellers (CS-P), Decision No. 200, December 12, 2006.

2. 14 CFR Part 35 Airworthiness Standards: Propellers.

General Discussion of the Proposal

Section 35.15, Safety analysis.

We are revising § 35.15(c) to identify propeller critical parts, and to establish that these parts need to meet the requirements of the proposed § 35.16 Propeller Critical Parts rule.

Section 35.16, Propeller Critical Parts.

The requirements proposed in § 35.16 necessitate the development and execution of an engineering process, a manufacturing process, and a service management process for propeller critical parts. These three processes form a closed-loop system that links the design intent as defined by the engineering process, to how the part is manufactured, and to how the part is maintained in service. Engineering, manufacturing, and service management function as an

integrated system and recognize the effects of actions in one area on the entire system. The proposed standards would provide an FAA requirement that would harmonize with the current EASA propeller critical parts requirement, thereby simplifying airworthiness approvals for exports.

The proposed § 35.16 clarifies the wording of the EASA propeller Critical Parts requirement to focus on the intent of the rule. Since the CS-P160 use of the term “plan” might infer a requirement that a “part-specific” document would be required, the term "process" is used instead of "plan". In this context compliance could consist of a company procedure manual that describes that company’s procedures governing propeller critical parts.

The engineering, manufacturing, and service management processes are intended to provide clear information for the management of the propeller critical part. “Process” in the context of the proposed requirement does not necessarily mean that all the required technical information must be contained in a single document. When the relevant information exists elsewhere, the process may reference drawings, material specifications, process specifications, etc., as appropriate. These references should be clear enough to sufficiently identify the referenced document so as to allow the design history of an individual part number to be traced.

Regulatory Notices and Analyses *TBD*

Paperwork Reduction Act *TBD*

Economic Assessment, Regulatory Flexibility Determination, Trade Impact Assessment, and Unfunded Mandates Assessment

TDB.

The Proposed Amendment

§ 35.15 Safety Analysis.

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(c) The primary failures of certain single elements (for example, blades) cannot be sensibly estimated in numerical terms. If the failure of such elements is likely to result in hazardous propeller effects, they will be identified as Propeller Critical Parts and reliance must be placed on meeting the prescribed integrity specifications of § 35.16. These instances must be stated in the safety analysis.

§ 35.16 Propeller Critical Parts

The integrity of the Propeller Critical Parts identified under CFR 14 Part 35.15 must be established by:

a. A defined Engineering process for ensuring the integrity of Propeller Critical Parts throughout their service life.

b. A defined Manufacturing process that identifies the requirements to consistently produce Propeller Critical Parts as required by the Engineering process.

c. A defined Service Management process that identifies the Continued Airworthiness Requirements of Propeller Critical Parts as required by the Engineering process.

END

November 2008

U.S. Department of Transportation
Federal Aviation Administration

Advisory Circular

Subject: PROPELLER CRITICAL PARTS	**Date:** DRAFT **Initiated By:** ANE-110	**AC No:** 35.16-DRAFT **Change:**

1. PURPOSE. This advisory circular (AC) provides definitions, guidance, and acceptable methods, but not the only methods, that may be used to demonstrate compliance with the propeller critical parts requirements of Title 14 of the Code of Federal Regulations (14 CFR 35.16).

2. APPLICABILITY.

a. The guidance provided in this document is directed to propeller manufacturers, modifiers, foreign regulatory authorities, and Federal Aviation Administration (FAA) propeller type certification engineers and their designees.

b. This material is neither mandatory nor regulatory in nature and does not constitute a regulation. It describes acceptable means, but not the only means, for demonstrating compliance with the applicable regulations. The FAA will consider other methods of demonstrating compliance that an applicant may elect to present. Terms such as “should”, “shall”, “may”, and “must” are used only in the sense of ensuring applicability of this particular method of compliance when the acceptable method of compliance in this document is used. While these guidelines are not mandatory, they are derived from extensive FAA and industry experience in determining compliance with the relevant regulations. On the other hand, if the FAA becomes aware of circumstances that convince us that following this AC would not result in compliance with the applicable regulations, we will not be bound by the terms of this AC, and we may require additional substantiation as the basis for finding compliance.

c. This material does not change, create any additional, authorize changes in, or permit deviations from existing regulatory requirements.

3. RELATED REGULATIONS.

a. 14 CFR 35.15, Safety analysis.

4. DEFINITIONS. For the purpose of this AC, the following definitions apply:

a. Approved life. The mandatory replacement life of a part that is approved by the Administrator and is listed in the Airworthiness Limitation Section (ALS) of the Instructions for Continued Airworthiness (ICA).

b. Engineering Process. The requirements, technical data and actions necessary to establish and maintain the integrity of propeller critical parts throughout their service life.

c. Fixed Process. Processes that should not be changed without proper validation and approval as defined in the engineering plan.

d. Manufacturing Process. The portion of the overall process intended to deliver propeller critical parts that are consistent with the design intent, as defined by the engineering process.

e. Primary Failure. Failure of a part that is not the result of prior failure of another part or system.

f. Propeller Critical Part. A part of the propeller whose primary failure can result in a hazardous propeller effect, as determined by the safety analysis required by § 35.15.

g. Service Management Process. A compilation of the requirements for in-service maintenance, overhaul, and repair to ensure that a propeller critical part achieves the design intent, as defined by the engineering process.

5. INTRODUCTION.

a. Since the failure of a propeller critical part could potentially result in a hazardous propeller effect defined in § 35.15, the applicant must meet the requirements defined in § 35.16. The requirements defined in § 35.16 necessitate the development and execution of engineering, manufacturing, and service management processes for propeller critical parts. These three processes form a closed-loop system that links the design intent defined by the engineering process, with the manufacturing process that establishes how the part is manufactured, and the service management plan that establishes how the part is maintained in service. Engineering, manufacturing, and service management processes must function as an integrated system, recognizing actions in one area can have an effect on the entire system.

b. The engineering process defines the requirements, technical data, and actions necessary to establish and maintain the integrity of propeller critical parts throughout their service life. The

engineering process and the life of the part are established before the introduction of the product into service, and are updated as new information becomes available.

c. The manufacturing process is a compilation of the controls and procedures, such as the drawings, procedures, specifications, and instructions required to produce and inspect a propeller critical part, as defined by the engineering process.

d. The service management process provides the procedures for in-service maintenance, overhaul, and repair to ensure that a propeller critical part achieves the requirements defined by the engineering process. The service management process forms the basis of limitations of in-service maintenance, overhaul, and repair that are conveyed through the ICA, and the ALS of the ICA.

6. GENERAL.

a. The engineering, manufacturing, and service management processes should provide clear information for the management of the propeller critical part. The term "process" in the context of § 35.16, does not necessarily mean that all the required technical information must be contained in a single document. When the relevant information exists elsewhere, the engineering, manufacturing, and service management processes may reference drawings, material specifications, process specifications, etc., as appropriate. These references should be clear enough to sufficiently identify the referenced document, allowing the design history of an individual part number to be traced. The referenced documents should be available for examination if requested by the Administrator.

b. Parts made of various inseparable sub-parts are identified as a propeller critical part when any one of the sub-parts is identified as a propeller critical part Manufacturers may choose to define separable assemblies containing propeller critical parts as propeller critical parts.

7. GUIDANCE FOR DEFINING AN ENGINEERING PROCESS.

a. Introduction. The engineering process includes procedures and requirements for how propeller critical parts are defined, manufactured, operated and maintained.

b. Elements of the Engineering Process.

(1) Identified Propeller Critical Parts.

(a) The engineering process should include a requirement for propeller critical parts to be identified on the drawing.

(2) A life analysis consists of analytical and empirical engineering processes applied to determine the propeller critical part life. When it is determined that the part must be removed

from service at a specific time, the approved life is established, and published in the ALS of the ICA. Not all propeller critical parts have an established life.

(a) Establishing the Propeller Critical Part Life. The propeller critical part life is established and controlled by documented applicant procedures. The procedure provides a systematic and uniform evaluation of an analytically or empirically predicted part life. The elements used to establish the part life may include, as relevant: airplane operating conditions, engine compatibility, stress analysis, materials data, safe life analysis and/or damage tolerance analysis, wear analysis and service experience. Any in-service inspections identified as required for the overall part integrity to maintain the part life should be incorporated into the service management process.

(b) Maintaining the Propeller Critical Part Life. The engineering process should include a provision for handling manufacturing and service data, relative to the condition of propeller critical parts. This is to assure that appropriate review of the effect on a propeller critical part life is accomplished, and if necessary corrective action is taken.

(c) The life analysis may be documented in the compliance reports provided for under §§ 35.37, 23.907 and 25.907 (as applicable).

(3) Mandatory Inspection Interval.

(a) The engineering process should include a methodology to determine a mandatory inspection interval, as appropriate, and incorporate that mandatory inspection interval into the ALS. Not all propeller critical parts have an established mandatory inspection interval.

8. GUIDANCE FOR DEFINING A MANUFACTURING PROCESS.

a. Introduction. The manufacturing process is a portion of the overall process intended to deliver propeller critical parts that are consistent with the requirements established by the engineering process. The requirements established by the manufacturing process include the engineering requirements, and applies the appropriate controls to ensure the manufacturing and inspection methods and processes are maintained.

b. Elements of a Manufacturing Process.

(1) Manufacturing Process Definition. The manufacturing process should identify processes that are essential to meeting the engineering requirements for propeller critical parts, and where appropriate, to apply fixed processes.

(2) Manufacturing Process Approval.

(a) The essential manufacturing process should be documented, reviewed and approved by the appropriate engineering, quality and manufacturing personnel. Subsequent changes to the

essential manufacturing processes should be subject to the same or similar review. The quality system should be integrated with the manufacturing process to assure conformance for all propeller critical parts.

(b) The appropriate personnel should be identified to evaluate and approve non-conformance dispositions, ensuring the manufactured product is consistent with the requirements of the engineering process. This requirement applies to all propeller critical part manufacturing sources.

(c) The level of detail in the process may vary depending on the specific process step being considered, the sensitivity of the particular process step, and the level of control necessary to achieve the propeller critical part requirements.

(3) Source Approval. Source approval imposes requirements on the acceptance of original or alternate sources that supply parts, materials or processes that are incorporated into the propeller critical part. Approval means the source has successfully demonstrated the technical capability of the process to the applicant, and parts or materials produced satisfy the design requirements.

(4) Part Marking. Part marking for propeller critical parts should be consistent with 14 CFR part 45. Propeller critical parts not addressed in part 45 do not require part number and serial number markings. The procedures for marking propeller critical parts should be defined in the manufacturing or engineering process, as applicable.

9. GUIDANCE FOR DEFINING A SERVICE MANAGEMENT PROCESS.

a. Introduction.

(1) The service management process is part of the overall process to maintain propeller critical parts throughout their service life. The engineering process includes requirements applicable during the manufacture, operation and maintenance of propeller critical parts. Each can affect the service life of the part. Therefore, it is essential to ensure these requirements remain valid. The service management process conveys the requirements for in-service repair, maintenance, and overhaul to remain consistent with the requirements contained in the engineering process.

(2) It is recognized that the service management process may provide a combination of approved life limits and mandatory inspections which are stated in the ALS of the ICA. Operation and maintenance manuals, bulletins and other service documents are also part of the service management process. It is expected that general procedures such as pre-flight or other periodic inspections and overhauls will be accomplished in accordance with the published service documents and do not need to be in the ALS.

(3) The service management process shall require the identification of propeller critical parts in the service documents.

b. Elements of a Service Management Process. The service management process includes the following:

- Service requirements and procedures to maintain continued airworthiness.
- Propeller installation, maintenance and overhaul procedures.
- Airworthiness limitations.
- Repair procedures.

c. Determining the Acceptability of Repair, Maintenance and Overhaul Processes.

(1) Repair, maintenance, and overhaul processes should be reviewed and approved by the appropriate engineering and service management personnel. Subsequent changes to repair, maintenance and overhaul processes should be subject to the same or similar review. Repair, maintenance, and overhaul processes and practices are developed with the appropriate level of oversight, and their possible impact on the life of the part is considered.

d. ICA Statement.

(1) To ensure a closed-loop between the in-service parts and the engineering process, the applicant should highlight the importance of limits to the repair and maintenance of propeller critical parts in the propeller maintenance manuals. Applicants may use the following wording in the propeller maintenance manual, or something similar, to highlight the criticality of repairs on propeller critical parts, or parts that affect propeller critical parts:

> "The following maintenance and repair instructions have been substantiated based on engineering analysis that expects this product will be operated and maintained using the procedures and inspections provided in the ICA supplied with this product by the type certificate holder, or its licensees."

END

PART 791—RULES OF NCUA BOARD PROCEDURES; PROMULGATION OF NCUA RULES AND REGULATIONS; PUBLIC OBSERVATION OF NCUA BOARD MEETINGS

■ 5. The authority citation for part 791 continues to read as follows:

Authority: 12 U.S.C. 1766, 1789 and 5 U.S.C. 552b.

■ 6. In § 791.8, revise paragraph (a) to read as follows:

§ 791.8 Promulgation of NCUA rules and regulations.

* * * * *

(a) NCUA's procedures for developing regulations are governed by the Administrative Procedure Act (5 U.S.C. 551 et seq.), the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), and NCUA's policies for the promulgation of rules and regulations as set forth in its Interpretive Ruling and Policy Statement 87–2 as amended by Interpretive Ruling and Policy Statements 03–2 and 13–1.

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[FR Doc. 2013–00864 Filed 1–17–13; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 35

[Docket No.: FAA–2010–0940–0001; Amdt. No. 35–9]

RIN 2120–AJ88

Critical Parts for Airplane Propellers

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The Federal Aviation Administration (FAA) is amending the airworthiness standards for airplane propellers. This action would require a safety analysis to identify a propeller critical part. Manufacturers would identify propeller critical parts, and establish engineering, manufacturing, and maintenance processes for propeller critical parts. These new requirements provide an added margin of safety for the continued airworthiness of propeller critical parts by requiring a system of processes to identify and manage these parts throughout their service life. This rule would eliminate regulatory differences between part 35 and European Aviation Safety Agency (EASA) propeller critical parts requirements, thereby simplifying airworthiness approvals for exports.

DATES: Effective March 19, 2013.

Affected parties, however, are not required to comply with the information collection requirement[s] in § 35.16 until the Office of Management and Budget (OMB) approves the collection and assigns a control number under the Paperwork Reduction Act of 1995. The FAA will publish in the **Federal Register** a notice of the control number[s] assigned by the Office of Management and Budget (OMB) for this [these] information collection requirement[s].

FOR FURTHER INFORMATION CONTACT: For technical questions concerning this action, contact Jay Turnberg, Engine and Propeller Directorate Standards Staff, ANE–111, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts, 01803–5299; telephone (781) 238–7116; facsimile (781) 238–7199, email: *jay.turnberg@faa.gov.* For legal questions concerning this action, contact Vincent Bennett, FAA Office of the Regional Counsel, ANE–7, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts, 01803–5299; telephone (781) 238–7044; facsimile (781) 238–7055, email: *vincent.bennett@faa.gov.*

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules on aviation safety is found in Title 49 of the United States Code. 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.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart III, section 44701, ''General requirements.'' Under that section, the FAA is charged with prescribing regulations 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, including minimum safety standards for airplane propellers. This regulation is within the scope of that authority because it updates the existing regulations for airplane propellers.

I. Overview of Final Rule

Part 35 does not specifically define the term propeller critical part. Consequently, there are no requirements for design, manufacture, maintenance, or management of propeller critical parts. This rule defines and requires the identification of propeller critical parts, and establishes requirements to ensure the integrity of those parts.

II. Background

On December 20, 2006, the FAA tasked the Aviation Rulemaking Advisory Committee (ARAC) to develop recommendations that would address the integrity of propeller critical parts, as well as be in harmony with similar European Aviation Safety Agency (EASA) regulations. This rule addresses those recommendations, a copy of which can be found in the docket of this rulemaking.

A. Statement of the Problem

Propeller critical parts are not adequately addressed by current regulations. Presently, the FAA does not—

➢ Have a specific definition for a propeller critical part, or

➢ Require type certificate holders to identify propeller critical parts.

Consequently, propeller manufacturers are not required to provide information concerning propeller critical part design, manufacture, or maintenance.

B. Summary of the NPRM

Primary failure of certain single propeller elements (for example, blades) can result in a hazardous propeller effect. Part 35 does not specifically identify these elements as propeller critical parts. Consequently, there are no requirements for design, manufacture, maintenance, or management of propeller critical parts. EASA, however, has regulations that identify a specific definition for propeller critical part, and regulations to reduce the likelihood of propeller critical part failures. These regulations, EASA Certification Specifications for Propellers (CS–P), are CS–P 150, Propeller Safety Analysis and CS–P 160 Propeller Critical Parts Integrity. The EASA regulations specifically require propeller manufacturers to identify propeller critical parts and provide adequate information for the design, manufacture, and maintenance of those parts to ensure their integrity throughout their service life. This FAA action establishes standards equivalent to the EASA regulations, thereby simplifying airworthiness approvals for export of these parts.

Safety Analysis (§ 35.15)

We proposed to revise § 35.15(c) to require the identification of propeller critical parts, and that applicants establish the integrity of these parts using the standards in proposed § 35.16. Section 35.15(c) refers to the failure of

these parts as primary failures of ''certain single elements''. We recognize that a meaningful numerical estimate of the reliability of these parts is not possible, since over 100 million hours of service history on a part design would be needed to directly meet the probability requirements of the regulation. Current regulations accommodate this inability to provide a meaningful estimate by stating that these failures cannot be ''sensibly'' estimated in numerical terms.

Propeller Critical Parts (New § 35.16)

Our proposed § 35.16 would require the development and execution of an engineering process, a manufacturing process, and a service management process for propeller critical parts. These three processes form a closed loop system that links the design intent, as defined by the engineering process, to how the part is manufactured and to how the part is maintained in service. Engineering, manufacturing, and service management function as an integrated system. This integrated systems approach recognizes that the effects of an action in one area would have an impact on the entire system. The proposed § 35.16 clarifies the wording of the EASA propeller critical parts requirement. Since the CS–P 160 use of the term ''plan'' might imply a requirement that a ''part-specific'' document would be required, the term ''process'' is used instead of ''plan''. In this context compliance will consist of a procedures manual that describes the manufacturer's method(s) to control propeller critical parts.

The engineering, manufacturing, and service management processes should provide clear information for propeller critical part management. ''Process'' in the context of the proposed requirement does not mean that all the required technical information is within a single document. When relevant information exists elsewhere, the process documents may reference, for example, drawings, material specifications, and process specifications, as appropriate. These references should be clear enough to sufficiently identify the referenced document so as to allow the design history of an individual part to be traced.

The FAA published a notice of proposed rulemaking on December 1, 2011, requesting pubic comments [76 FR 74749]. The comment period closed on January 30, 2012.

C. General Overview of Comments

The FAA received three comments. One was from a repair station, Sensenich Propeller Service, and the others were from propeller manufacturers, Hamilton Sundstrand and Hartzell Propeller. The comments requested clarification on how the rule would be applied to propeller parts being serviced, old (legacy) propellers and part 45 Identification and Registration and Marking requirements. The comments did not suggest changes to the proposal.

III. Discussion of Public Comments and Final Rule

Sensenich Propeller Service asked would this rule require the replacement of airworthy parts that were found to have no defects. This rule would not. Nor does it require propeller manufacturers to revise manuals for existing certified propellers. This rule will result in manuals that are more informative with respect to propeller critical parts, when manuals are revised or developed for amended or new propeller certification programs.

Hamilton Sundstrand wanted to know if some sort of grandfather clause for legacy propellers was contemplated. This rule is applicable to propellers based on the propeller certification basis. Therefore, the rule will be applicable to new propellers, and may be applicable to propellers certified to earlier amendments, if the type design is changed sufficiently. See 14 CFR § 21.101 Designation of applicable regulations. The current regulations accommodate older propellers as needed.

Hartzell Propeller, Inc., requested clarification on the applicability of paragraph (c) of § 45.15 Identification and registration marking for a propeller critical part. The propeller critical parts rule does address part marking. Propellers, propeller blades, and hubs are subject to the marking requirements of §§ 45.11 and 45.13. Section 45.15 (c) is not applicable to critical propeller parts that do not have a replacement time, inspection interval, or related procedure specified in the Airworthiness Limitations Section of a manufacturer's maintenance manual or Instructions for Continued Airworthiness.

IV. Regulatory Notices and Analyses

A. Regulatory Evaluation

Changes to Federal regulations must undergo several economic analyses. First, Executive Order 12866 and Executive Order 13563 direct that each Federal agency shall propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 (Pub. L. 96–354) requires agencies to analyze the economic impact of regulatory changes on small entities. Third, the Trade Agreements Act (Pub. L. 96–39) prohibits agencies from setting standards that create unnecessary obstacles to the foreign commerce of the United States. In developing U.S. standards, the Trade Act requires agencies to consider international standards and, where appropriate, they be the basis of U.S. standards. Fourth, the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires agencies to prepare a written assessment of the costs, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector of $100 million or more annually (adjusted for inflation with base year of 1995). This portion of the preamble summarizes the FAA's analysis of the economic impacts of this final rule.

Department of Transportation Order DOT 2100.5 prescribes policies and procedures for simplification, analysis, and review of regulations. If the expected cost impact is so minimal that a proposed or final rule does not warrant a full evaluation, this order permits that a statement to that effect, and the basis for it to be included in the preamble if a full regulatory evaluation of the cost and benefits is not prepared. Such a determination has been made for this final rule. The reasoning for this determination follows.

Presently, airplane propeller part manufacturers must satisfy both the code of federal regulations (CFR) and the European Aviation Safety Agency (EASA) certification requirements to market their products in both the United States and Europe. Meeting two sets of certification requirements raises the cost of developing new airplane propeller parts, often with no increase in safety. In the interest of fostering international trade, lowering the cost of airplane propeller parts development, and making the certification process more efficient, the FAA, EASA, and airplane propeller part manufacturers worked to create to the maximum extent possible a single set of certification requirements accepted in both the United States and Europe. These efforts are referred to as harmonization.

Propellers contain critical parts whose primary failure can result in a hazardous propeller effect. 14 CFR part 35 does not currently identify what a propeller critical part is, and consequently, has no specific requirement(s) for their design, manufacture, maintenance, or

management. EASA however, has regulations that identify what propeller critical parts are, and regulations to reduce the likelihood of propeller critical part failures.

This rule will revise § 35.15 and add a new § 35.16 to part 35 with EASA's ''more stringent'' CS–P 150 Propeller Safety Analysis and CS–P 160 Propeller Critical Parts Integrity requirements. The FAA has concluded for the reasons previously discussed in the preamble, the adoption of these EASA requirements into the CFR is the most efficient way to harmonize these sections, and in so doing, enhance the existing level of safety.

A review of current manufacturers of airplane propeller parts certificated under part 35 has revealed that all manufacturers of such future airplane propeller parts are expected to continue their current practice of compliance under part 35 of the CFR and the EASA certification requirements. Since future certificated airplane propeller parts are expected to meet EASA's existing CS–P 150 Propeller Safety Analysis and CS–P 160 Propeller Critical Parts Integrity requirements, and this rule simply adopts the same EASA requirement, manufacturers will incur no additional cost resulting from this rule. Therefore, the FAA estimates that there are no more than minimal costs associated with this final rule.

The FAA, however, has not attempted to quantify the cost savings that may accrue from this rule, beyond noting that while it may be minimal, it contributes to a potential harmonization savings. Furthermore, we did not receive comments regarding this determination that this rule will have minimal cost with a possible cost savings to the industry.

The FAA has therefore determined this final rule is not a ''significant regulatory action'' as defined in section 3(f) of Executive Order 12866, and is not ''significant'' as defined in DOT's Regulatory Policies and Procedures.

B. Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (Pub. L. 96–354) (RFA) establishes ''as a principle of regulatory issuance that agencies shall endeavor, consistent with the objectives of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of the businesses, organizations, and governmental jurisdictions subject to regulation. To achieve this principle, agencies are required to solicit and consider flexible regulatory proposals and to explain the rationale for their actions to assure that such proposals are given serious consideration.'' The RFA covers a wide-range of small entities for profit organizations, and small governmental jurisdictions.

Agencies must perform a review to determine whether a rule will have a significant economic impact on a substantial number of small entities. If the agency determines that it will, the agency must prepare a regulatory flexibility analysis as described in the RFA.

However, if an agency determines that a rule is not expected to have a significant economic impact on a substantial number of small entities, section 605(b) of the RFA provides that the head of the agency may so certify and a regulatory flexibility analysis is not required. The certification must include a statement providing the factual basis for this determination, and the reasoning should be clear.

The FAA believes that this rule would not have a significant economic impact on a substantial number of small entities for the following reason. The net effect of the rule is minimum regulatory cost relief. The rule requires that new propeller manufacturers meet the ''more stringent'' European certification requirement, CS–P 150, Propeller Safety Analysis and CS–P 160, Propeller Critical Parts, rather than both the U.S. and European standards. Propeller manufacturers already meet or expect to meet this standard as well as the existing CFR requirement.

Given that this rule has minimal to no costs, could be cost-relieving, and as we received no comments on this determination for the NPRM, as the Administrator, I certify that this final rule will not have a significant economic impact on a substantial number of small entities.

C. International Trade Impact Assessment

The Trade Agreements Act of 1979 (Pub. L. 96–39), as amended by the Uruguay Round Agreements Act (Pub. L. 103–465), prohibits Federal agencies from establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to these Acts, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such the protection of safety, and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards, and where appropriate, be the basis for U. S. standards. The FAA has assessed the potential effect of this final rule and determined that it is in accord with the Trade Agreements Act as the rule uses European standards as the basis for United States regulation.

D. Unfunded Mandates Assessment

Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires each Federal agency to prepare a written statement assessing the effects of any Federal mandate in a proposed or final agency rule that may result in an expenditure of $100 million or more (in 1995 dollars) in any one year by State, local, and tribal governments, in the aggregate, or by the private sector; such a mandate is deemed to be a ''significant regulatory action.'' The FAA currently uses an inflation-adjusted value of $143.1 million in lieu of $100 million. This final rule does not contain such a mandate; therefore, the requirements of Title II of the Act do not apply.

E. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires that the FAA consider the impact of paperwork and other information collection burdens imposed on the public. According to the 1995 amendments to the Paperwork Reduction Act (5 CFR 1320.8(b)(2)(vi)), an agency may not collect or sponsor the collection of information, nor may it impose an information collection requirement unless it displays a currently valid Office of Management and Budget (OMB) control number.

This final rule will impose the following new information collection requirements. As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), the FAA has submitted these information collection amendments to OMB for its review. Notice of OMB approval for this information collection will be published in a future **Federal Register** document.

Summary: On December 1, 2011, FAA published a notice of proposed rulemaking titled ''Critical Parts for Airplane Propellers'' (76 FR 74749). This activity contains new Paperwork Reduction Act recordkeeping requirements that were not addressed in that notice of proposed rulemaking, and which are addressed here. The rule will require that U.S. companies who manufacture critical parts for airplane propellers update their manuals to record engineering, manufacture, and maintenance processes for propeller critical parts. There are currently three U.S. companies who will be required to create or revise their manuals to include these processes.

Public comments: We received no comments on information collection

Use: This information will be used by the propeller manufacturer to show compliance with the propeller critical parts requirements. This action would define what a propeller critical part is, require the identification of propeller critical parts by the manufacturer, and establish engineering, manufacture, and maintenance processes for those parts. The need and use of the information is to ensure the continued airworthiness of propeller critical parts by requiring a system of processes to identify and manage these parts throughout their service life.

Respondents: There are five propeller manufacturers that will be affected by the new requirement. Responses were provided by two of the manufacturers who have already prepared propeller critical parts manuals and are compliant with the final rule. The information provided by the two manufacturers was used to establish the paperwork required to show compliance with the propeller critical parts requirements for the remaining three propeller manufacturers.

Frequency: The information will only need to be collected once to show compliance with the FAA propeller critical part rule § 35.16. If the information is not collected, the propeller manufacturer will not be able to obtain a type certificate for the propeller.

Annual Burden Estimate: There will be no annualized cost to the Federal Government. Industry has informed the FAA that the one-time paperwork requirement will take approximately 40 hours and consist of 18 pages per manufacturer. The FAA estimated 120 hours as the total hourly burden by taking the product of the number of affected U.S. manufacturers with the hourly burden. There will be a one-time cost of $3,555.60 per respondent which will occur on the effective date of the rule. The total cost for the three respondents is $10,666.80.

F. International Compatibility and Cooperation

In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to conform our regulations to International Civil Aviation Organization (ICAO) Standards to the maximum extent practicable. The FAA has determined that there are no ICAO Standards that correspond to these regulations.

Executive Order 13609, Promoting International Regulatory Cooperation, promotes international regulatory cooperation to meet shared challenges involving health, safety, labor, security, environmental, and other issues and to reduce, eliminate, or prevent unnecessary differences in regulatory requirements. The FAA has analyzed this action under the policies and agency responsibilities of Executive Order 13609 and has determined that this action would have no effect on international regulatory cooperation.

G. Environmental Analysis

FAA Order 1050.1E identifies FAA actions that are categorically excluded from preparation of an environmental assessment or environmental impact statement under the National Environmental Policy Act in the absence of extraordinary circumstances. The FAA has determined this rulemaking action qualifies for the categorical exclusion identified in paragraph Chapter 3, paragraph 312f and involves no extraordinary circumstances.

V. Executive Order Determinations

A. Executive Order 13132, Federalism

The FAA has analyzed this final rule under the principles and criteria of Executive Order 13132, Federalism. The agency determined that this action will not have a substantial direct effect on the States, or the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government, and, therefore, does not have Federalism implications.

B. Executive Order 13211, Regulations that Significantly Affect Energy Supply, Distribution, or Use

The FAA analyzed this final rule under Executive Order 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use (May 18, 2001). The agency has determined that it is not a ''significant energy action'' under the executive order and it is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

VI. How To Obtain Additional Information

A. Rulemaking Documents

An electronic copy of a rulemaking document my be obtained by using the Internet—

1. Search the Federal eRulemaking Portal (*http://www.regulations.gov*);

2. Visit the FAA's Regulations and Policies Web page at *http://www.faa.gov/regulations_policies/* or

3. Access the Government Printing Office's Web page at *http://www.gpo.gov/fdsys/*.

Copies may also be obtained by sending a request (identified by notice, amendment, or docket number of this rulemaking) to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267–9680.

B. Comments Submitted to the Docket

Comments received may be viewed by going to *http://www.regulations.gov* and following the online instructions to search the docket number for this action. Anyone is able to search the electronic form of all comments received into any of the FAA's dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.).

C. Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 requires FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. A small entity with questions regarding this document, may contact its local FAA official, or the person listed under the **FOR FURTHER INFORMATION CONTACT** heading at the beginning of the preamble. To find out more about SBREFA on the Internet, visit *http://www.faa.gov/regulations_policies/rulemaking/sbre_act/*.

List of Subjects 14 CFR Part 35

Air transportation, Aircraft, Aviation safety, Safety.

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends chapter I of title 14, Code of Federal Regulations as follows:

PART 35—AIRWORTHINESS STANDARDS: PROPELLERS

■ 1. The authority citation for part 35 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44704.

■ 2. Amend § 35.15 by revising paragraphs (c) and (d) to read as follows:

§ 35.15 Safety Analysis.

* * * * *

(c) The primary failures of certain single propeller elements (for example, blades) cannot be sensibly estimated in numerical terms. If the failure of such elements is likely to result in hazardous propeller effects, those elements must be identified as propeller critical parts.

(d) For propeller critical parts, applicants must meet the prescribed integrity specifications of § 35.16. These instances must be stated in the safety analysis.

* * * * *

■ 3. Add § 35.16 to subpart B to read as follows:

§ 35.16 Propeller Critical Parts.

The integrity of each propeller critical part identified by the safety analysis required by § 35.15 must be established by:

(a) A defined engineering process for ensuring the integrity of the propeller critical part throughout its service life,

(b) A defined manufacturing process that identifies the requirements to consistently produce the propeller critical part as required by the engineering process, and

(c) A defined service management process that identifies the continued airworthiness requirements of the propeller critical part as required by the engineering process.

Issued in Washington, DC, on January 8, 2013.

Michael P. Huerta,

Acting Administrator.

[FR Doc. 2013–01041 Filed 1–17–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2011–0724; Directorate Identifier 2010–NM–181–AD; Amendment 39–17299; AD 2012–26–04]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding an existing airworthiness directive (AD) for certain The Boeing Company Model 757–200, –200PF, and –200CB series airplanes powered by Rolls-Royce engines. That AD currently requires repetitive inspections of the shim installation between the drag brace fitting vertical flange and bulkhead, and repair if necessary; for certain airplanes, an inspection for cracking of the four critical fastener holes in the horizontal flange, and repair if necessary; and, for airplanes without conclusive records of previous inspections, performing the existing actions. This new AD reduces the repetitive inspection interval; adds repetitive detailed inspections for cracking of the bulkhead, and repair if necessary; allows an extension of the repetitive intervals for certain airplanes by also doing repetitive ultrasonic inspections for cracking of the bulkhead, and repair if necessary; and provides an option for a high frequency eddy current inspection for cracking of the critical fastener holes, and repair if necessary. This action also adds a terminating action for certain repetitive inspections. This AD was prompted by reports of loose fasteners and cracks at the joint common to the aft torque bulkhead and strut-to-diagonal brace fitting, and one report of such damage occurring less than 3,000 flight cycles after the last inspection. We are issuing this AD to detect and correct cracks, loose and broken bolts, and shim migration in the joint between the aft torque bulkhead and the strut-to-diagonal brace fitting, which could result in damage to the strut and consequent separation of the strut and engine from the airplane.

DATES: This AD is effective February 22, 2013.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of February 22, 2013.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of August 24, 2007 (72 FR 44753, August 9, 2007).

ADDRESSES: For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; phone: 206–544–5000, extension 1; fax: 206–766–5680; Internet: *https://www.myboeingfleet.com.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Nancy Marsh, Aerospace Engineer, Airframe Branch, ANM–120S, Seattle Aircraft Certification Office (ACO), FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; phone 425–917–6440; fax 425–917–6590; email: *Nancy.Marsh@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 to supersede airworthiness directive (AD) 2008–05–10, Amendment 39–15404 (73 FR 11347, March 3, 2008). (AD 2008–05–10 superseded AD 2007–16–13, Amendment 39–15152 (72 FR 44753, August 9, 2007); and AD 2007–16–13 superseded AD 2005–12–04, Amendment 39–14120 (70 FR 34313, June 14, 2005).) AD 2008–05–10 applies to the specified products. The SNPRM published in the **Federal Register** on June 21, 2012 (77 FR 37332). The original NPRM (76 FR 52901, August 24, 2011) proposed to continue to require repetitive inspections of the shim installation between the engine strut vertical flange and bulkhead, and repair if necessary. That NPRM also proposed to continue to require, for certain airplanes, inspecting for cracking of the four critical fastener holes in the horizontal flange, and repair if necessary; and, for airplanes without conclusive records of previous inspections, performing the existing actions. Additionally, that NPRM proposed to reduce the repetitive inspection interval, add repetitive detailed inspections for cracking of the bulkhead, and repair if necessary; extend the repetitive intervals for certain airplanes by also doing repetitive ultrasonic inspections for cracking of the bulkhead, and repair if necessary; and add an option for a high frequency eddy current inspection for cracking of the critical fastener holes, and repair if necessary. The SNPRM proposed to add a terminating action for certain repetitive inspections.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the proposal (77 FR 37332, June 21, 2012) and the FAA's response to each comment.