

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-0242; Directorate Identifier 2007-NE-51]

#### Airworthiness Directives; General Electric Company CF6-80C2 and CF6-80E1 Series Turbofan Engines

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

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to General Electric Company (GE) CF6-80C2 and CF6-80E1 series turbofan engines. That action would have required replacement of all clevis pins installed on the thrust reverser central drive units and upper and lower actuators, or replacement of pins that fail an on-wing rebound hardness test. Since we issued that NPRM, we determined there is no unsafe condition that warrants issuing an AD. The likelihood of this event occurring again and significantly damaging an aircraft is very low. Accordingly, we withdraw the proposed rule.

#### FOR FURTHER INFORMATION CONTACT:

Christopher Richards, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; *e-mail*: christopher.j.richards@faa.gov; *telephone*: (781) 238-7133, *fax*: (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD), applicable to (GE) CF6-80C2 and CF6-80E1 series turbofan engines, was published in the **Federal Register** on February 25, 2008 (73 FR 9970). The proposed rule would have required replacement of all clevis pins installed

on the thrust reverser central drive units and upper and lower actuators, or replacement of pins that fail an on-wing rebound hardness test. That action results from failure of a thrust reverser during landing due to unapproved clevis pins being installed. The failure was due to lack of clevis pin hardness. The proposed actions were intended to prevent thrust reverser failure, which could lead to damage to the thrust reverser and airplane.

Since we issued that NPRM we have determined we don't need to issue an Airworthiness Directive to mandate an inspection. We have determined that the probability that inferior pin material is present in the fleet does not present sufficient risk to warrant an AD. However, operators and maintenance facilities should remain diligent in their normal maintenance practices to prevent installation of unapproved materials and to recognize when a clevis pin of inferior material is installed. We issued Safety Information Alert Bulletin No. NE-08-44, dated September 3, 2008, to aid in identifying and understanding the inferior clevis pin material.

Upon further consideration, we determined there is no unsafe condition that warrants issuing an AD. The likelihood of this event occurring again and significantly damaging an aircraft is very low. Accordingly, we withdraw the proposed rule.

Withdrawing this notice of proposed rulemaking constitutes only such action, and does not preclude us from issuing another notice in the future, nor does it commit us to any course of action in the future.

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

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

Air transportation, Aircraft, Aviation safety, Safety.

#### The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket No. FAA-2007-0242, published in the **Federal Register** on February 25, 2008 (73 FR 9970), is withdrawn.

Issued in Burlington, Massachusetts, on October 1, 2008.

**Peter A. White,**

*Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### 29 CFR Part 2550

#### RIN 1210-AB13

#### Investment Advice—Participants and Beneficiaries; Hearing

**AGENCY:** Employee Benefits Security Administration, U.S. Department of Labor.

**ACTION:** Proposed rule; Notice of hearing.

**SUMMARY:** Notice is hereby given that the Department of Labor will hold a hearing on the Department's proposed regulation under provisions of the Employee Retirement Income Security Act of 1974, as amended (ERISA, or the Act), and the Internal Revenue Code of 1986, as amended (Code), relating to the provision of investment advice to participants and beneficiaries of self-directed individual account plans and individual retirement accounts (IRAs).

**DATES:** The hearing will be held on October 21, 2008, beginning at 8 a.m., EST. Persons interested in presenting testimony and answering questions at the public hearing must submit requests and certain other information (as discussed below), by 3:30 p.m., EST, October 16, 2008.

**ADDRESSES:** The hearing will be held at the U.S. Department of Labor, Room S-3215 A&B, 200 Constitution Avenue, NW., Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Fil Williams, Office of Regulations and Interpretations, Employee Benefits Security Administration, (202) 693-8510. This is not a toll-free number.

#### SUPPLEMENTARY INFORMATION:

On August 22, 2008 (73 FR 49896), the Department of Labor (the Department) published in the **Federal Register** a notice of proposed rulemaking to implement the provisions of the statutory exemption set forth in