

TABLE 1.—ALL MATERIAL INCORPORATED BY REFERENCE

EMBRAER service bulletin	Issue level	Date
145-27-0098 .....	Original .....	December 9, 2002.
145-27-0098 .....	Change 01 .....	June 3, 2003.
145-27-0098 .....	Revision 02 .....	April 12, 2004.
145-27-0102 .....	Revision 02 .....	January 20, 2005.
145LEG-27-0006 .....	Original .....	December 9, 2002.
145LEG-27-0006 .....	Revision 01 .....	June 3, 2003.
145LEG-27-0006 .....	Revision 02 .....	April 12, 2004.
145LEG-27-0012 .....	Revision 01 .....	April 12, 2004.

(1) The Director of the Federal Register approved the incorporation by reference of the service documents listed in Table 2 of

this AD in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. EMBRAER Service Bulletin 145LEG-27-0012, Revision 01,

dated April 12, 2004, contains the following effective pages:

Page No.	Revision level shown on page	Date shown on page
1, 2 .....	01 .....	April 12, 2004.
3-7 .....	Original .....	March 2, 2004.

TABLE 2.—NEW MATERIAL INCORPORATED BY REFERENCE

EMBRAER service bulletin	Issue level	Date
145-27-0098 .....	Change 01 .....	June 3, 2003.
145-27-0098 .....	Revision 02 .....	April 12, 2004.
145-27-0102 .....	Revision 02 .....	January 20, 2005.
145LEG-27-0006 .....	Revision 01 .....	June 3, 2003.
145LEG-27-0006 .....	Revision 02 .....	April 12, 2004.
145LEG-27-0012 .....	Revision 01 .....	April 12, 2004.

(2) On May 14, 2003 (68 FR 22585, April 29, 2003), the Director of the Federal Register approved the incorporation by reference of EMBRAER Service Bulletin 145-27-0098, dated December 9, 2002; and EMBRAER Service Bulletin 145LEG-27-0006, dated December 9, 2002.

(3) Contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343-CEP 12.225, Sao Jose dos Campos-SP, Brazil, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on November 18, 2005.

**Kalene C. Yanamura,**

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

[FR Doc. 05-23512 Filed 12-2-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2005-22631; Directorate Identifier 2005-NM-183-AD; Amendment 39-14394; AD 2005-25-01]

**RIN 2120-AA64**

#### **Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120, -120ER, -120FC, -120QC, and -120RT Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for all EMBRAER Model EMB-120, -120ER, -120FC, -120QC, and -120RT airplanes. This AD requires modifying electrical harnesses located at the left- and right-hand wing roots; and re-routing and modifying the harness of the right-hand outboard flap actuator. This AD results from fuel system reviews conducted by the manufacturer. We are issuing this AD to prevent chafed electrical harnesses, which could result in a potential source of ignition for fuel

vapors near a fuel tank and consequent fire or fuel tank explosion.

**DATES:** This AD becomes effective January 9, 2006.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of January 9, 2006.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, room PL-401, Washington, DC.

Contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343-CEP 12.225, Sao Jose dos Campos-SP, Brazil, for service information identified in this AD.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2474; fax (425) 227-1149.

#### **SUPPLEMENTARY INFORMATION:**

##### **Examining the Docket**

You may examine the airworthiness directive (AD) docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility office

between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the street address stated in the **ADDRESSES** section.

#### Discussion

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to all EMBRAER Model EMB-120, -120ER, -120FC, -120QC, and -120RT airplanes. That NPRM was published in the **Federal Register** on October 7, 2005 (70 FR 58626). That NPRM proposed to require modifying electrical harnesses located at the left- and right-hand wing roots; and re-routing and modifying the harness of the right-hand outboard flap actuator.

#### Comments

We provided the public the opportunity to participate in the development of this AD. We received no comments on the NPRM or on the determination of the cost to the public.

#### Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

#### Costs of Compliance

This AD will affect about 112 airplanes of U.S. registry. The actions will take about 8 work hours per airplane, at an average labor rate of \$65 per work hour. Required parts will cost about \$979 per airplane. Based on these figures, the estimated cost of the AD for U.S. operators is \$167,888, or \$1,499 per airplane.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation

is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

#### Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866;
- (2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

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

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

##### § 39.13 [Amended]

- 2. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**2005-25-01 Empresa Brasileira De Aeronautica S.A. (EMBRAER):**  
Amendment 39-14394. Docket No. FAA-2005-22631; Directorate Identifier 2005-NM-183-AD.

#### Effective Date

- (a) This AD becomes effective January 9, 2006.

#### Affected ADs

- (b) None.

#### Applicability

(c) This AD applies to all EMBRAER Model EMB-120, -120ER, -120FC, -120QC, and -120RT airplanes, certificated in any category.

#### Unsafe Condition

(d) This AD results from fuel system reviews conducted by the manufacturer. We are issuing this AD to prevent chafed electrical harnesses, which could result in a potential source of ignition for fuel vapors near a fuel tank and consequent fire or fuel tank explosion.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Corrective Action

(f) Within 5,000 flight hours after the effective date of this AD, modify the electrical harnesses located at the left- and right-hand wing roots; and re-route and modify the harness of the right-hand outboard flap actuator; in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 120-24-0059, Revision 02, dated March 18, 2005.

#### Previously Accomplished Actions

(g) Actions done before the effective date of this AD in accordance with EMBRAER Service Bulletin 120-24-0059, dated April 6, 2004; and Revision 01, dated November 9, 2004; are acceptable for compliance with the requirements of paragraph (f) of this AD.

#### Alternative Methods of Compliance (AMOCs)

(h)(1) The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

#### Related Information

(i) Brazilian airworthiness directive 2005-06-01, dated June 29, 2005, also addresses the subject of this AD.

#### Material Incorporated by Reference

(j) You must use EMBRAER Service Bulletin 120-24-0059, Revision 02, dated March 18, 2005, to perform the actions that are required by this AD, unless the AD specifies otherwise. EMBRAER Service Bulletin 120-24-0059, Revision 02, contains the following effective pages:

Page No.	Revision level shown on page	Date shown on page
1, 3 .....	02 .....	March 18, 2005.
2, 17, 18 .....	01 .....	Nov. 9, 2004.
4–16, 19–21	Original ..	April 6, 2004.

The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on November 25, 2005.

**Ali Bahrami,**

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

[FR Doc. 05-23555 Filed 12-2-05; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2005-22454; Directorate Identifier 2001-NM-108-AD; Amendment 39-14395; AD 2005-25-02]

RIN 2120-AA64

#### Airworthiness Directives; Aerospatiale Model ATR42-200, ATR42-300, and ATR42-320 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is superseding an existing airworthiness directive (AD), which applies to all Aerospatiale Model ATR42-200, ATR42-300, and ATR42-320 airplanes. That AD currently requires inspections to determine the proper installation of rivets in certain key holes and to detect cracks in the area of the key holes where rivets are missing; and correction of discrepancies. The existing AD also requires various inspections of the subject area for discrepancies, and corrective actions if necessary; and replacement of certain cargo door hinges

with new hinges. For certain airplanes, the existing AD also requires replacement of friction plates, stop fittings, and bolts with new parts. This new AD requires additional corrective actions for certain airplanes. This AD results from discovery of cracks around key holes on certain fuselage frames where rivets were missing. We are issuing this AD to prevent fatigue cracks of the cargo door skin, certain frames, and entry door stop fittings and friction plates, which could result in reduced structural integrity of the airplane.

**DATES:** This AD becomes effective January 9, 2006.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of January 9, 2006.

On April 26, 2000 (65 FR 15226, March 22, 2000), the Director of the Federal Register approved the incorporation by reference of certain other publications.

On November 18, 1993 (58 FR 53853, October 19, 1993), the Director of the Federal Register approved the incorporation by reference of a certain publication.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, room PL-401, Washington, DC.

Contact Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France, for service information identified in this AD.

**FOR FURTHER INFORMATION CONTACT:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1137; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Examining the Docket

You may examine the airworthiness directive (AD) docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the street address stated in the **ADDRESSES** section.

##### Discussion

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that supersedes AD 2000-05-26, amendment

39-11636 (65 FR 15226, March 22, 2000). The existing AD applies to all ATR42-200, ATR42-300 and ATR42-320 airplanes. That NPRM was published in the **Federal Register** on September 19, 2005 (70 FR 54856). That NPRM proposed to continue to require inspections to determine the proper installation of rivets in certain key holes and to detect cracks in the area of the key holes where rivets are missing; and correction of discrepancies. That NPRM also proposed to continue to require various inspections of the subject area for discrepancies, and corrective actions if necessary; and replacement of certain cargo door hinges with new hinges. For certain airplanes, that NPRM proposed to continue to require replacement of friction plates, stop fittings, and bolts with new parts. That NPRM further proposed to require additional corrective actions for certain airplanes.

#### Comments

We provided the public the opportunity to participate in the development of this AD. No comments have been received on the NPRM or on the determination of the cost to the public.

#### Clarification of Effective Date

We have revised Note 2 of this AD to include the effective date of AD 2000-05-26.

#### Clarification of Alternative Method of Compliance (AMOC) Paragraph

We have revised this action to clarify the appropriate procedure for notifying the principal inspector before using any approved AMOC on any airplane to which the AMOC applies.

#### Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD with the changes described previously. We have determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

#### Costs of Compliance

This AD will affect about 106 Aerospatiale Model ATR42-200, ATR42-300, and ATR42-320 airplanes of U.S. registry.

The general visual inspection of fuselage frames 25 and 27 that is required by AD 2000-05-26 and