

conservation standards for residential furnaces or that DOE should address in the NOPR.

Furthermore, DOE welcomes all interested parties, regardless of whether they participate in the public meeting, to submit in writing by April 14, 2010, comments and information on matters addressed in the RAP and on other matters relevant to consideration of standards for residential furnaces.

The public meeting will be conducted in an informal, conference style. A court reporter will be present to record the minutes of the meeting. There shall be no discussion of proprietary information, costs or prices, market shares, or other commercial matters regulated by United States antitrust laws.

After the public meeting and the expiration of the period for submitting written statements, DOE will consider all comments and additional information that is obtained from interested parties or through further analyses, and it will prepare a NOPR. The NOPR will include proposed energy conservation standards for the products covered by the rulemaking, and members of the public will be given an opportunity to submit written and oral comments on the proposed standards.

Issued in Washington, DC, on February 22, 2010.

**Cathy Zoi,**

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

[FR Doc. 2010-5564 Filed 3-12-10; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2010-0102; Directorate Identifier 2010-NE-09-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Ontic Engineering and Manufacturing, Inc. Propeller Governors, Part Numbers C210776, T210761, D210760, and J210761**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for certain serial numbers (S/Ns) of Ontic Engineering and Manufacturing, Inc. propeller governors, part numbers (P/Ns) C210776, T210761, D210760, and

J210761. This proposed AD would require removal of the affected propeller governors from service. This proposed AD results from three reports received of failed propeller governors. We are proposing this AD to prevent loss of propeller pitch control, damage to the propeller governor, and internal damage to the engine, which could prevent continued safe flight or safe landing.

**DATES:** We must receive any comments on this proposed AD by May 14, 2010.

**ADDRESSES:** Use one of the following addresses to comment on this proposed AD.

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- **Mail:** Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- **Hand Delivery:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Fax:** (202) 493-2251.

Contact Ontic Engineering and Manufacturing, Inc., 20400 Plummer Street, Chatsworth, CA 91311, e-mail: [Bill.nolan@ontic.com](mailto:Bill.nolan@ontic.com); telephone (818) 725-2323; fax (818) 725-2535; or e-mail: [Susan.hunt@ontic.com](mailto:Susan.hunt@ontic.com); telephone (818) 725-2121; fax (818) 725-2535, or on the Web at [http://www.ontic.com/pdf/SB-DES-353\\_Rev\\_A.pdf](http://www.ontic.com/pdf/SB-DES-353_Rev_A.pdf) for a copy of the service information identified in this proposed AD.

#### **FOR FURTHER INFORMATION CONTACT:**

Roger Pesuit, Aerospace Engineer, Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3960 Paramount Blvd., Lakewood, CA 90712; e-mail: [roger.pesuit@faa.gov](mailto:roger.pesuit@faa.gov); telephone (562) 627-5251, fax (562) 627-5210.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

We invite you to send us any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2010-0102; Directorate Identifier 2010-NE-09-AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://>

[www.regulations.gov](http://www.regulations.gov), including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of the Web site, anyone can find and read the comments in any of our dockets, including, if provided, the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

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

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is the same as the Mail address provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### **Discussion**

We received three reports of failure of Ontic Engineering and Manufacturing, Inc. propeller governors. One of the reports was of a Diamond DA-40 airplane losing propeller pitch control during flight. The propeller governor controls propeller pitch by regulating oil pressure to the propeller pitch change mechanism. Changes in governor oil pressure are made by small changes in axial displacement of the governor's pilot valve plunger assembly. A fly weight governor opposes a compressed spring that rides on a collar which forms a part of the pilot valve plunger assembly. Investigation revealed that the set screw securing the collar to the pilot valve plunger assembly shaft may not be installed properly on a batch of parts permitting the pilot valve plunger to float on the shaft. The pilot valve shaft plunger and captive thrust bearing are then free to move axially along the pilot valve shaft. When the pilot valve is unconstrained in the axial direction, the propeller governor cannot control oil pressure to the propeller pitch control mechanism. This results in a loss of propeller pitch control. Further, concurrent thrust bearing failure permits bearing debris to flow with the oil into the engine lubrication system. The engine in the incident airplane was internally damaged as a result of a

propeller governor bearing ball becoming lodged between the valve lifter and engine case. This condition, if not corrected, could result in loss of propeller pitch control, damage to the propeller governor, and internal damage to the engine, which could prevent continued safe flight or safe landing.

#### Relevant Service Information

We have reviewed and approved the technical contents of Ontic Engineering and Manufacturing, Inc. Mandatory Service Bulletin (MSB) No. SB-DES-353, Revision A, dated December 16, 2009. That MSB lists the affected propeller governors by P/N and S/N, and describes procedures for returning them to the manufacturer for repair.

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

We have evaluated all pertinent information and identified an unsafe condition that is likely to exist or develop on other products of this same type design. We are proposing this AD, which would require removal of affected propeller governors from service. The proposed AD would require you to use the service information described previously to identify the affected S/Ns of propeller governors.

#### Costs of Compliance

We estimate that this proposed AD would affect 45 propeller governors installed on airplanes of U.S. registry. We also estimate that it would take about four work-hours per airplane to perform the proposed actions, and that the average labor rate is \$85 per work-hour. Required repair parts would cost about \$842 per propeller governor. Based on these figures, we estimate the total cost of the proposed AD to U.S. operators to be \$83,790. Our cost estimate is exclusive of possible warranty coverage.

#### Authority for This Rulemaking

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

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

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

#### Regulatory Findings

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

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

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

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD. You may get a copy of this summary at the address listed under **ADDRESSES**.

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

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

#### The Proposed Amendment

Under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

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

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

##### § 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**Ontic Engineering and Manufacturing, Inc.:**  
Docket No. FAA-2010-0102; Directorate Identifier 2010-NE-09-AD.

#### Comments Due Date

- (a) The Federal Aviation Administration (FAA) must receive comments on this airworthiness directive (AD) action by May 14, 2010.

#### Affected ADs

- (b) None.

#### Applicability

(c) This AD applies to Ontic Engineering and Manufacturing, Inc. propeller governors, part numbers (P/Ns) C210776, T210761, D210760, and J210761, as listed by serial number on pages 3 and 4 of Ontic Engineering and Manufacturing, Inc. Mandatory Service Bulletin (MSB) No. SB-DES-353, Revision A, dated December 16, 2009.

(d) These propeller governors are installed on, but not limited to, American Champion Aircraft Corporation Model 7GCAA (governor P/N T210761), Diamond Aircraft Industries, Inc. Model DA-40 (governor P/N C210776), Hawker Beechcraft Model A36 (governor P/N D210760), and Industria Aeronautica Neiva S/A (subsidiary of Embraer) model EMB-202A (governor P/N J210761) airplanes.

#### Unsafe Condition

(e) This AD results from three reports received of failed propeller governors. We are issuing this AD to prevent loss of propeller pitch control, damage to the propeller governor, and internal damage to the engine, which could prevent continued safe flight or safe landing.

#### Compliance

(f) You are responsible for having the actions required by this AD performed within 100 flight hours after the effective date of this AD, unless the actions have already been done.

(g) Remove affected propeller governors from service.

(h) After the effective date of this AD, do not install an affected propeller governor unless it has been inspected, repaired, and permanently marked with "SB-DES-353 Rev. A Date \* \* \*" near the data plate, by Ontic Engineering and Manufacturing, Inc.

#### Alternative Methods of Compliance

(i) The Manager, Los Angeles Aircraft Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

#### Related Information

(j) Contact Roger Pesuit, Aerospace Engineer, Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3960 Paramount Blvd., Lakewood, CA 90712; e-mail: [roger.pesuit@faa.gov](mailto:roger.pesuit@faa.gov); telephone (562) 627-5251, fax (562) 627-5210, for more information about this AD.

(k) Ontic Engineering and Manufacturing, Inc. MSB No. SB-DES-353, Revision A, dated December 16, 2009, pertains to the subject of this AD. Contact Ontic Engineering and Manufacturing, Inc., 20400 Plummer Street, Chatsworth, CA 91311, e-mail: [Bill.nolan@ontic.com](mailto:Bill.nolan@ontic.com); telephone (818) 725-2323; fax (818) 725-2535; or e-mail: [Susan.hunt@ontic.com](mailto:Susan.hunt@ontic.com); telephone (818) 725-2121; fax (818) 725-2535, or on the Web at [http://www.ontic.com/pdf/SB-DES-353\\_Rev\\_A.pdf](http://www.ontic.com/pdf/SB-DES-353_Rev_A.pdf) for a copy of this service information.

Issued in Burlington, Massachusetts, on March 5, 2010.

**Peter A. White,**

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

[FR Doc. 2010-5549 Filed 3-12-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2010-0250; Directorate Identifier 2010-CE-011-AD]

**RIN 2120-AA64**

#### **Airworthiness Directives; PILATUS Aircraft Ltd. Model PC-7 Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

This Airworthiness Directive (AD) is prompted due to the discovery of corrosion at the bonding strap connections on the left and right lower longerons between fuselage frames 1 and 1A. The possibility of corrosion is increased because of the high electrical current flow between the tinned copper terminal lug of the bonding strap and the aluminum longeron.

Such a condition, if left uncorrected, could lead to failure of the longeron and will prejudice the structural integrity of the aircraft.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by April 29, 2010.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* (202) 493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room

W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### **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 proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### **FOR FURTHER INFORMATION CONTACT:**

Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4059; fax: (816) 329-4090.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2010-0250; Directorate Identifier 2010-CE-011-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

##### **Discussion**

The Federal Office of Civil Aviation (FOCA), which is the aviation authority for Switzerland, has issued FOCA AD HB-2010-001, dated February 12, 2010 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

This Airworthiness Directive (AD) is prompted due to the discovery of corrosion at the bonding strap connections on the left and right lower longerons between fuselage frames 1 and 1A. The possibility of corrosion is increased because of the high electrical current flow between the tinned copper terminal lug of the bonding strap and the aluminum longeron.

Such a condition, if left uncorrected, could lead to failure of the longeron and will prejudice the structural integrity of the aircraft. In order to correct and control the situation, this AD requires a one time inspection of the longeron structure and the terminal lugs of the bonding straps for signs of corrosion.

For left and right lower longerons where corrosion is found during the inspection, the MCAI also requires repair of any longeron where corrosion is found. You may obtain further information by examining the MCAI in the AD docket.

#### **Relevant Service Information**

PILATUS Aircraft Ltd. has issued PILATUS PC-7 Service Bulletin No. 53-007, dated January 5, 2010. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

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

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

#### **Differences between this Proposed AD and the MCAI or Service Information**

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

#### **Costs of Compliance**

We estimate that this proposed AD will affect 10 products of U.S. registry. We also estimate that it would take about 4.5 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$3,825, or \$383 per product.

In addition, we estimate that any necessary follow-on actions would take