

# 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-2010-0891; Directorate Identifier 2009-SW-055-AD]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter France Models SA330F, SA330G, and SA330J Helicopters

**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:

While adjusting the position of the pedal unit on a SA 330 helicopter, the copilot set the position beyond the end limit ("tall pilot" position). This resulted in the separation of the pedal adjustment system and the pedals rocking forward.

After investigation, it was determined that the Loctite bond on the "tall pilot" stop nut was damaged, most likely due to aging of the adhesive. The nut came loose and could no longer perform its stop function. The threaded rod of the adjustment system separated from the system.

The separation of the adjustment system, if not corrected, could result in the loss of control of the pedal units, causing the helicopter to begin rotating.

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 October 28, 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:** Gary B. Roach, Aerospace Engineer, FAA, Rotorcraft Directorate, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone: (817) 222-5130; fax: (817) 222-5961.

#### 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-2010-0891; Directorate Identifier 2009-SW-055-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 European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued Emergency AD No.: 2009-0172-E, dated August 5, 2009 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

While adjusting the position of the pedal unit on a SA 330 helicopter, the copilot set the position beyond the end limit ("tall pilot" position). This resulted in the separation of the pedal adjustment system and the pedals rocking forward.

After investigation, it was determined that the Loctite bond on the "tall pilot" stop nut was damaged, most likely due to aging of the adhesive. The nut came loose and could no longer perform its stop function. The threaded rod of the adjustment system separated from the system.

The separation of the adjustment system, if not corrected, could result in the loss of control of the pedal units, causing the helicopter to begin rotating.

For the reasons described above, this Emergency AD requires a one-time functional test and modification (MOD 330A779820.00) of the pedal unit adjustment system.

You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

EUROCOPTER has issued Emergency Alert Service Bulletin No. 67.18, dated August 3, 2009. 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.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

### Costs of Compliance

We estimate that this proposed AD will affect 6 products of U.S. registry. We also estimate that it would take about 3 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$100 per product.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$2,130, or \$355 per product.

### 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 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 this proposed regulation:

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. 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 proposed AD and placed it in the AD docket.

### List of Subjects in 14 CFR Part 39

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

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA 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 AD:

**EUROCOPTER FRANCE:** Docket No. FAA-2010-0891; Directorate Identifier 2009-SW-055-AD.

#### Comments Due Date

(a) We must receive comments by October 28, 2010.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to SA330F, SA330G, and SA330J helicopters, all serial numbers, certificated in any category, equipped with pedal position adjustment system modification (MOD 07.10.304).

#### Subject

(d) Air Transport Association of America (ATA) Code 67: Rotors Flight Control.

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

While adjusting the position of the pedal unit on a SA 330 helicopter, the copilot set the position beyond the end limit ("tall pilot" position). This resulted in the separation of the pedal adjustment system and the pedals rocking forward.

After investigation, it was determined that the Loctite bond on the "tall pilot" stop nut

was damaged, most likely due to aging of the adhesive. The nut came loose and could no longer perform its stop function. The threaded rod of the adjustment system separated from the system.

The separation of the adjustment system, if not corrected, could result in the loss of control of the pedal units, causing the helicopter to begin rotating.

For the reasons described above, this Emergency AD requires a one-time functional test and modification (MOD 330A779820.00) of the pedal unit adjustment system.

### Actions and Compliance

(f) Unless already done, do the following actions:

(1) Within the next 10 hours time-in-service after the effective date of this AD, do a functional test of the pedal unit adjustment system following paragraph 2.B.1 of EUROCOPTER Emergency Alert Service Bulletin No. 67.18, dated August 3, 2009.

(2) If any non-conformity is found, before further flight, modify the pedal unit adjustment system following paragraphs 2.B.2, 2.B.3 or 2.B.4, and 2.B.5 of EUROCOPTER Emergency Alert Service Bulletin No. 67.18, dated August 3, 2009 (MOD 330A779820.00).

(3) If any non-conformity is not found, within 3 months after the effective date of this AD, modify the pedal unit adjustment system following paragraphs 2.B.2, 2.B.3, and 2.B.5 of the EUROCOPTER Emergency Alert Service Bulletin No. 67.18, dated August 3, 2009 (MOD 330A779820.00).

(4) If half-bushings are not available when complying with paragraph (f)(2) or (f)(3) of this AD, flights are authorized without half-bushings for up to 12 months after the effective date of this AD.

(5) After 3 months after the effective date of this AD, do not install a pedal position adjustment system, unless it has been modified (MOD 330A779820.00) in accordance with the requirements of this AD.

### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: No differences.

### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Gary B. Roach, Aerospace Engineer, FAA, Rotorcraft Directorate, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone: (817) 222-5130; fax: (817) 222-5961. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority

(or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(h) Refer to MCAI European Aviation Safety Agency (EASA) Emergency AD No.: 2009-0172-E, dated August 5, 2009; and EUROCOPTER Emergency Alert Service Bulletin No. 67.18, dated August 3, 2009, for related information.

Issued in Fort Worth, Texas, on August 25, 2010.

#### Kimberly K. Smith,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2010-22775 Filed 9-10-10; 8:45 am]

BILLING CODE 4910-13-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R10-OAR-2010-0669; FRL-9200-5]

### Approval and Promulgation of Implementation Plans; Idaho; Interstate Transport of Pollution

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Idaho for the purpose of addressing the “good neighbor” provisions of the Clean Air Act (CAA) section 110(a)(2)(D)(i) for the 1997 8-hour ozone National Ambient Air Quality Standards (NAAQS or standards) and the 1997 PM<sub>2.5</sub> NAAQS. This SIP revision addresses the requirement that the State of Idaho’s SIP have adequate provisions to prohibit air emissions from adversely affecting another state’s air quality through interstate transport. In this action, EPA is proposing to approve the Idaho Interstate Transport SIP provisions that address the requirement of section 110(a)(2)(D)(i) that emissions from Idaho sources do not significantly contribute to nonattainment of the 1997 8-hour ozone NAAQS and the 1997 PM<sub>2.5</sub> NAAQS in any other state, interfere with maintenance of the 1997 8-hour ozone NAAQS and the 1997 PM<sub>2.5</sub> NAAQS in any other state, and interfere with measures required in the SIP of any other state under part C of

subchapter I of the CAA to prevent significant deterioration of air quality. This action is being taken under section 110 and part C of subchapter I of the Clean Air Act (the Act or CAA).

**DATES:** Written comments must be received on or before October 13, 2010.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R10-OAR-2008-0391, by one of the following methods:

A. <http://www.regulations.gov>. Follow the online instructions for submitting comments.

B. *E-Mail:* R10-Public Comments@epa.gov.

C. *Mail:* Donna Deneen, U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Suite 900, Mail Stop: AWT-107, Seattle, WA 98101.

D. *Hand Delivery:* U.S. Environmental Protection Agency, Region 10, Attn: Donna Deneen (AWT-107), 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101, 9th Floor. Such deliveries are only accepted during normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-R10-OAR-2010-0669. EPA’s policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or email. The <http://www.regulations.gov> Web site is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through <http://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of

special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the electronic docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information, *i.e.*, CBI or other information whose disclosure is restricted by statute, is not publicly available. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy during normal business hours at the Office of Air, Waste and Toxics, U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Suite 900, Seattle, Washington 98101.

#### FOR FURTHER INFORMATION CONTACT:

Donna Deneen, (206) 553-6706 or [deneen.donna@epa.gov](mailto:deneen.donna@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this notice, the words “we”, “us”, or “our” means the Environmental Protection Agency (EPA).

#### Table of Contents

- I. What proposed action is EPA taking?
- II. What is a SIP?
- III. What is the background for this proposed action?
- IV. What is EPA’s evaluation of the State’s submission?
  - A. EPA’s Evaluation of Significant Contribution to Nonattainment
    1. 1997 PM<sub>2.5</sub> Nonattainment Areas and Monitoring Data in States Surrounding Idaho
    2. 1997 8-Hour Ozone Nonattainment Areas and Monitoring Data in States Surrounding Idaho
    3. State Regulatory Provisions
    4. Conclusion Regarding Significant Contribution to Nonattainment
  - B. EPA’s Evaluation of Interference With Maintenance
    1. Background
    2. Idaho’s Interference With Maintenance Demonstration
    3. EPA’s Supplemental Analysis
    4. Conclusion Regarding Interference With Maintenance
  - C. EPA’s Evaluation of Interference With PSD Measures in Other States
- V. Proposed Action
- VI. Statutory and Executive Order Reviews

#### I. What proposed action is EPA taking?

EPA is proposing to approve a portion of Idaho’s Interstate Transport State Implementation Plan (SIP) revision for the 1997 8-hour ozone and 1997 PM<sub>2.5</sub> NAAQS submitted by the Idaho Department of Quality (IDEQ) on June 28, 2010. Specifically, we are proposing to approve the portion of the plan that addresses the following elements of