

Rules and Regulations

Federal Register

Vol. 77, No. 180

Monday, September 17, 2012

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2012-0634; Directorate Identifier 2012-CE-016-AD; Amendment 39-17182; AD 2012-18-06]

RIN 2120-AA64

Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for Piaggio Aero Industries S.p.A. Model P-180 Airplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued 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 jamming of the external bearing of the screwjack drive gear, which resulted in failure of the main wing outboard flap external actuator. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective October 22, 2012.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of October 22, 2012.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at 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 service information identified in this AD, contact Piaggio Aero Industries S.p.A—Airworthiness Office, Via Luigi Cibrario, 4-16154 Genova-Italy; phone: +39 010 6481353; fax: +39 010 6481881; email: airworthiness@piaggioaero.it; Internet: <http://www.piaggioaero.com/#/en/after-sales/service-support>. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

FOR FURTHER INFORMATION CONTACT:

Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; fax: (816) 329-4090; email: mike.kiesov@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on June 15, 2012 (77 FR 35888). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Failures of the Main Wing Outboard Flap external actuator have been reported by P.180 operators.

The investigation revealed that due to jamming of the external bearing, the screwjack drive gear disengaged from its seat and the external actuator stopped, while the inner one continued its run.

This condition, if not corrected, could lead to an asymmetrical flap actuators operation and cause an interference between the flap and adjacent aileron, possibly resulting in reduced control of the aeroplane.

For the reasons described above, this AD requires the installation of a covering cage on the screwjack, as a temporary corrective action, which does not allow the disengagement of the affected gear.

Comments

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

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial

changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (77 FR 35888, June 15, 2012) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

Costs of Compliance

We estimate that this AD will affect 110 products of U.S. registry. We also estimate that it would take about 6 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$2,770 per product.

Based on these figures, we estimate the cost of the AD on U.S. operators to be \$360,800, or \$3,280 per product.

According to the manufacturer, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our cost estimate.

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 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 this 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),

(3) Will not affect intrastate aviation in Alaska, and

(4) 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.

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 the NPRM, 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.

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 FAA amends § 39.13 by adding the following new AD:

2012-18-06 PIAGGIO AERO INDUSTRIES S.p.A: Amendment 39-17182; Docket No. FAA-2012-0634; Directorate Identifier 2012-CE-016-AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective October 22, 2012.

(b) Affected ADs

None.

(c) Applicability

This AD applies to PIAGGIO AERO INDUSTRIES S.p.A Model P-180 airplanes,

serial numbers (S/Ns) 1002 and 1004 through 1223, certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 27: Flight Controls.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. We are issuing this AD to require actions to address the unsafe condition on these products.

(f) Actions and Compliance

Unless already done, before October 22, 2012 (the effective date of this AD), following the Accomplishment Instructions of Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318, revision 2, dated March 28, 2012, do the following actions:

(1) *For S/Ns 1002 and 1004 through 1135:*
(i) *For aircraft with less than 1,500 hours total time-in-service (TIS) at the effective date of this AD:* Within 1,500 hours TIS after October 22, 2012 (the effective date of this AD) or within 12 calendar months after October 22, 2012 (the effective date of this AD), whichever occurs first, install covering cages on both left and right wing outboard flap external screwjacks. Follow the Accomplishment Instructions of Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318, revision 2, dated March 28, 2012.

(ii) *For aircraft with 1,500 hours total TIS or more but less than 2,800 hours total TIS at October 22, 2012 (the effective date of this AD):* Upon or before reaching a total of 3,000 hours TIS after October 22, 2012 (the effective date of this AD) or within 12 calendar months after October 22, 2012 (the effective date of this AD), whichever occurs first, install covering cages on both left and right wing outboard flap external screwjacks. Follow the Accomplishment Instructions of Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318, revision 2, dated March 28, 2012.

(iii) *For aircraft with 2,800 hours total TIS or more at October 22, 2012 (the effective date of this AD):* Within 200 hours TIS after October 22, 2012 (the effective date of this AD) or within 12 calendar months after October 22, 2012 (the effective date of this AD), whichever occurs first, install covering cages on both left and right wing outboard flap external screwjacks. Follow the Accomplishment Instructions of Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318, revision 2, dated March 28, 2012.

(2) *For S/Ns 1136 through 1223 (inclusive):* Within 1,500 hours TIS after October 22, 2012 (the effective date of this AD) or within 12 calendar months after October 22, 2012 (the effective date of this AD), whichever occurs first, install covering cages on both left and right wing outboard flap external screwjacks. Follow the Accomplishment Instructions of Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318, revision 2, dated March 28, 2012.

Note to paragraph (f) of this AD: S/Ns 1224 and subsequent have covering cages on both

left and right wing outboard flap external screwjacks installed during production.

(g) Credit for Actions Accomplished in Accordance With Previous Service Information

This AD provides credit for the actions required in this AD if already done before October 22, 2012 (the effective date of this AD) following Service Bulletin No. 80-0318, dated October 24, 2011; Service Bulletin No. 80-0318, revision 1, dated February 3, 2012; and Service Bulletin No. 80-0318, revision 2, dated March 28, 2012.

(h) Other FAA AD Provisions

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: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; fax: (816) 329-4090; email: mike.kiesov@faa.gov. 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, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES-200.

(i) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2012-0066, dated April 24, 2012; Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318, dated October 24, 2011; Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318, revision 1, dated February 3, 2012; and Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318,

revision 2, dated March 28, 2012, for related information.

(j) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318, dated October 24, 2011;

(ii) Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318, revision 1, dated February 3, 2012; and

(iii) Piaggio Aero Industries S.p.A. Mandatory Service Bulletin No. 80-0318, revision 2, dated March 28, 2012.

(3) For PIAGGIO AERO INDUSTRIES S.p.A. service information identified in this AD, contact Piaggio Aero Industries S.p.A.—Airworthiness Office, Via Luigi Cibrario, 4-16154 Genova-Italy; phone: +39 010 6481353; fax: +39 010 6481881; email: airworthiness@piaggioaero.it; Internet: <http://www.piaggioaero.com/#/en/aftersales/service-support>.

(4) You may view this service information at FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202 741 6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Kansas City, Missouri, on August 29, 2012.

Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2012-22542 Filed 9-14-12; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2012-0267; Directorate Identifier 2011-NM-174-AD; Amendment 39-17192; AD 2012-18-15]

RIN 2120-AA64

Airworthiness Directives; Bombardier Inc. Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Bombardier Inc. Model DHC-8-400

series airplanes. This AD was prompted by reports that the automatic de-icing mode became unavailable due to a failure of the timer and monitor unit (TMU). This AD requires replacing the TMU. We are issuing this AD to prevent loss of the automatic de-icing mode and consequent increased workload for the flightcrew, which, depending on additional failures, could lead to loss of control of the airplane.

DATES: This AD becomes effective October 22, 2012.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 22, 2012.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7318; fax (516) 794-5531.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on March 20, 2012 (77 FR 16191). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

There have been multiple reports of in-service incidents where the automatic deicing mode became unavailable due to a failure of the Timer and Monitor Unit (TMU).

Investigation has revealed that the failures were attributed to overstressed capacitors installed in the circuit board of the TMU "Module 300" power supply. The failure of the capacitors leads to failure of the TMU "Module 300" power supply and subsequent loss of the automatic deicing mode.

This [Transport Canada Civil Aviation (TCCA)] directive mandates the replacement of the TMU, part number (P/N) 4100S018-06, with a new improved unit, P/N 4100S018-07.

The unsafe condition is loss of the automatic de-icing mode and consequent increased workload for the flightcrew, which, depending on additional failures, could lead to loss of control of the airplane. You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We have considered the comments received.

Support for the NPRM (77 FR 16191, March 20, 2012)

The Air Line Pilots Association, International (ALPA) supports the intent of the NPRM (77 FR 16191, March 20, 2012).

Request To Withdraw the NPRM (77 FR 16191, March 20, 2012)

Katherine Carpenter, a private citizen, stated that it seems unnecessary to require a law for replacing a faulty part, and that common sense indicates that companies should replace the parts to limit their liability in case of an accident.

We infer that the commenter was requesting that we withdraw the NPRM (77 FR 16191, March 20, 2012).

According to section 39.1 ("Airworthiness Directives") of the Federal Aviation Regulations (14 CFR 39.1), we issue an AD based on our finding that an unsafe condition exists and is likely to exist or develop in products of the same type design. We have the responsibility, placed on us by the Federal Aviation Act (49 U.S.C. App. 1301 *et seq.*), to make an unsafe condition—whether resulting from maintenance, design defect, or otherwise—the subject of an AD, and to issue an AD when that unsafe condition is likely to exist or develop on other products of the same type design.

Further, it is within our authority to issue ADs to require corrective actions to address unsafe conditions that are not being addressed (or not addressed adequately) by operators' normal maintenance procedures. An AD is the appropriate means for mandating this action. As a result, we are issuing this AD to eliminate the identified unsafe condition by requiring replacement of the TMU.

Request To Reduce Compliance Time

ALPA requested that the compliance time be reduced from 3,000 flight hours or 18 months, to 1,000 flight hours or 6 months, in order to reduce the operating exposure of the affected airplanes to two winter seasons.

We disagree to reduce the compliance time for two reasons. First, the DEICE PRESS or DEICE TIMER caution lights annunciate a failure to the flightcrew; the airplane flight manual (AFM) provides procedures to address this failure and instructs the flightcrew to use the manual mode of the pneumatic ice protection system and to exit icing conditions as soon as possible. While an