

the local flight standards district office or certificate holding district office before operating any aircraft complying with this AD through an AMOC.

#### (g) Additional Information

The subject of this AD is addressed in European Aviation Safety Agency AD No. F-2004-176 and AD No. F-2004-178, both dated November 10, 2004.

#### (h) Subject

Joint Aircraft Service Component (JASC) Code: 6410, Tail rotor blades.

Issued in Fort Worth, Texas, on April 11, 2013.

**Lance T. Gant,**

*Acting Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 2013-09417 Filed 4-19-13; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2013-0334; Directorate Identifier 2013-NM-027-AD]

RIN 2120-AA64

#### Airworthiness Directives; The Boeing Company Airplanes

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all The Boeing Company Model 757 airplanes. This proposed AD was prompted by a report of a broken forward support fitting at the inboard track of the inboard flap. This proposed AD would require repetitive inspections of the forward support fitting assemblies of the inboard track of the left and right inboard flaps for cracking, and corrective actions if necessary. We are proposing this AD to detect and correct cracking of the forward support fitting assembly, which could result in loss of inboard flap control and subsequent loss of airplane control.

**DATES:** We must receive comments on this proposed AD by June 6, 2013.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, 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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Ave SW., Renton, WA 98057. For information on the availability of this material at the FAA, call 425-227-1221.

#### 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 (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

Nancy Marsh, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: (425) 917-6440; fax: (425) 917-6590; email: [nancy.marsh@faa.gov](mailto:nancy.marsh@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2013-0334; Directorate Identifier 2013-NM-027-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

We received a report of a broken forward support fitting assembly at the inboard track of the inboard flap. During a post-flight taxi, pilots noticed a FLAP TE DISAGREE message on the engine indication and crew alerting system (EICAS). Maintenance personnel found that both components of the forward support fitting assembly had broken, causing the inboard track and transmission to drop 8 inches into the wheel well. The airplane had accumulated 22,328 total flight cycles. Metallurgical analysis found that cracks had initiated at a compound radius in each component flange common to the main landing gear (MLG) beam. Each crack was propagated by fatigue and was followed by final ductile rupture. This condition, if not detected and corrected, could result in loss of inboard flap control and subsequent loss of airplane control.

#### Relevant Service Information

We reviewed Boeing Special Attention Service Bulletin 757-57-0071, dated September 12, 2012. For information on the procedures and compliance times, see this service information at <http://www.regulations.gov> by searching for Docket No. FAA-2013-0334.

#### FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

#### Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in the service information described previously.

In addition, the phrase "corrective actions" might be used in this proposed AD. "Corrective actions" are actions that correct or address any condition found. Corrective actions in an AD could include, for example, repairs.

#### Costs of Compliance

We estimate that this proposed AD affects 690 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

## ESTIMATED COSTS

| Action                                  | Labor cost                                                  | Parts cost | Cost per product                 | Cost on U.S. operators           |
|-----------------------------------------|-------------------------------------------------------------|------------|----------------------------------|----------------------------------|
| High-frequency eddy current inspection. | 11 work-hours × \$85 per hour = \$935, per inspection cycle | None ..... | \$935, per inspection cycle .... | \$645,150, per inspection cycle. |

We estimate the following costs to do any necessary replacements that would

be required based on the results of the proposed inspection. We have no way of

determining the number of aircraft that might need this replacement:

## ON-CONDITION COSTS

| Action            | Labor cost                                               | Parts cost | Cost per product        |
|-------------------|----------------------------------------------------------|------------|-------------------------|
| Replacement ..... | 7 work-hours × \$85 per hour = \$595, per assembly ..... | \$10,000   | \$10,595, per assembly. |

**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),
- (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.

**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 airworthiness directive (AD):

**The Boeing Company:** Docket No. FAA–2013–0334; Directorate Identifier 2013–NM–027–AD.

**(a) Comments Due Date**

We must receive comments by June 6, 2013.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to all The Boeing Company Model 757–200, –200PF, –200CB, and –300 series airplanes, certificated in any category.

**(d) Subject**

Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 5753, Trailing edge flaps.

**(e) Unsafe Condition**

This AD was prompted by a report of a broken forward support fitting at the inboard track of the inboard flap. We are issuing this AD to detect and correct cracking of the forward support fitting assembly, which

could result in loss of inboard flap control and subsequent loss of airplane control.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Inspection and Corrective Action**

Except as provided by paragraph (h) of this AD, at the applicable time specified in paragraph 1.E., "Compliance," of Boeing Special Attention Service Bulletin 757–57–0071, dated September 12, 2012: Do a high frequency eddy current (HFEC) inspection for cracking in the forward support fitting assemblies of the inboard track of the left and right inboard flaps, and do all applicable corrective actions, in accordance with paragraph 3.B.2. of the Accomplishment Instructions of Boeing Special Attention Service Bulletin 757–57–0071, dated September 12, 2012. Do all applicable corrective actions before further flight. Thereafter, repeat the inspections at intervals not to exceed 6,000 flight cycles, except as required by paragraphs (g)(1) and (g)(2) of this AD.

(1) For Group 1 airplanes as identified in Boeing Special Attention Service Bulletin 757–57–0071, dated September 12, 2012, on which any forward support fitting assembly is replaced: Do the next inspection before 15,000 flight cycles has accumulated on that assembly.

(2) For Group 2 airplanes as identified in Boeing Special Attention Service Bulletin 757–57–0071, dated September 12, 2012, on which any forward support fitting assembly is replaced: Do the next inspection before 18,000 flight cycles has accumulated on that assembly.

**(h) Exception to the Service Information**

(1) Where Boeing Special Attention Service Bulletin 757–57–0071, dated September 12, 2012, specifies compliance times "after the original issue date of this service bulletin," this AD requires compliance within the specified compliance times "after the effective date of this AD."

(2) Paragraphs 3.B.1. and 3.B.3. of the Accomplishment Instructions of Boeing Special Attention Service Bulletin 757–57–

0071, dated September 12, 2012, are not required by this AD.

#### (i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov*.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

#### (j) Related Information

(1) For more information about this AD, contact Nancy Marsh, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: (425) 917-6440; fax: (425) 917-6590; email: *nancy.marsh@faa.gov*.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet *https://www.myboeingfleet.com*. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Ave. NW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

Issued in Renton, Washington, on April 12, 2013.

**Jeffrey E. Duven,**

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

[FR Doc. 2013-09407 Filed 4-19-13; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2013-0020; Directorate Identifier 2010-SW-107-AD]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter Deutschland GmbH (ECD) Helicopters

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for ECD Model MBB-BK 117 C-2 helicopters. This proposed AD would require inspecting the rigging of the power-booster control system and, if there is a nonparallel gap between the rigging wedges and the inner sleeves, performing a rigging procedure. This proposed AD is prompted by the discovery, during rigging of the main rotor controls, of movement of the longitudinal main rotor actuator piston after shut-down of the external pump drive. Such movement could cause incorrect rigging results. The proposed actions are intended to prevent incorrect rigging results, which could impair freedom of movement of the upper controls and subsequent reduced control of the helicopter.

**DATES:** We must receive comments on this proposed AD by June 21, 2013.

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

- *Federal eRulemaking Docket:* Go to *http://www.regulations.gov*. Follow the online instructions for sending your comments electronically.
- *Fax:* 202-493-2251.
- *Mail:* Send comments to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

• *Hand Delivery:* Deliver to the "Mail" address 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 Operations Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the economic evaluation, any comments received, and other information. The

street address for the Docket Operations Office (telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

For service information identified in this proposed AD, contact American Eurocopter Corporation, 2701 N. Forum Drive, Grand Prairie, TX 75052, telephone (972) 641-0000 or (800) 232-0323, fax (972) 641-3775, or at *http://www.eurocopter.com/techpub*. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:** Jim Grigg, Manager, FAA, Rotorcraft Directorate, Safety Management Group, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone (817) 222-5110; email *jim.grigg@faa.gov*.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit only one time.

We will file in the docket all comments that we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, we will consider all comments we receive on or before the closing date for comments. We will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. We may change this proposal in light of the comments we receive.

#### Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued AD No. 2010-0248, dated November 26, 2010 (AD 2010-0248), to correct an unsafe condition for the ECD Model MBB-BK 117 C-2 helicopters. EASA advises that during rigging of the main rotor controls, it was