

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2013-0688; Directorate Identifier 2012-NM-221-AD; Amendment 39-17683; AD 2013-24-09]

RIN 2120-AA64

**Airworthiness Directives; EADS CASA (Type Certificate Previously Held by Construcciones Aeronáuticas, S.A.) Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain EADS CASA (Type Certificate Previously Held by Construcciones Aeronáuticas, S.A.) Model C-212-CB, C-212-CC, C-212-CD, C-212-CE, and C-212-DF airplanes. This AD was prompted by a report of the propeller pitch control (PPC) lever becoming disconnected from the engine due to a missing bolt. This AD requires modifying the PPC lever attachment system. We are issuing this AD to prevent PPC shaft disconnection, which could lead to a loss of propeller pitch control, possibly resulting in uncommanded change to the engine power settings and consequent reduced controllability of the airplane.

**DATES:** This AD becomes effective January 21, 2014.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 21, 2014.

**ADDRESSES:** You may examine the AD on the Internet at <http://www.regulations.gov/#!docketDetail;D=FAA-2013-0688>; 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 EADS-CASA service information identified in this AD, contact EADS-CASA, Military Transport Aircraft

Division (MTAD), Integrated Customer Services (ICS), Technical Services, Avenida de Aragón 404, 28022 Madrid, Spain; telephone +34 91 585 55 84; fax +34 91 585 55 05; email [MTA.TechnicalService@casa.eads.net](mailto:MTA.TechnicalService@casa.eads.net); Internet <http://www.eads.net>. For Honeywell service information identified in this AD, contact Honeywell International Inc., 111 S. 34th Street, Phoenix, AZ 85034-2802; Internet: <http://portal.honeywell.com>; telephone: 800-601-3099. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

**FOR FURTHER INFORMATION CONTACT:**

Shahram Daneshmandi, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-1112; fax (425) 227-1149.

**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. The NPRM published in the **Federal Register** on August 13, 2013 (78 FR 49235). The NPRM proposed to correct an unsafe condition for the specified products.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2012-0251, dated November 27, 2012 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

An occurrence was reported where the propeller pitch control (PPC) lever disconnected from the engine (a TPE331-10R-511C) on a C-212-CC aeroplane.

The result of the subsequent investigation revealed that the PPC lever disconnection occurred due to a missing bolt, which fixes

the clamp that joins the PPC lever to the PPC rod.

This condition, if not corrected, could lead to a loss of an affected propeller pitch control, possibly resulting in uncommanded change to the engine power settings and consequent reduced control of the aeroplane.

To address this potential unsafe condition, EADS-CASA developed a modification (mod 10515) that eliminates the possibility of PPC shaft disconnection and made this available through Service Bulletin SB-212-76-0009 to be applied in service.

For the reasons described above, this [EASA] AD requires modification of PPC lever attachment system.

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2013-0688-0002>.

**Comments**

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (78 FR 49235, August 13, 2013) or on the determination of the cost to the public.

**Explanation of Change Made to the AD**

We have changed paragraph (c) of this AD to remove EADS CASA (Type Certificate previously held by Construcciones Aeronáuticas, S.A.) Model C-212-CF airplanes, which were included in the NPRM (78 FR 49235, August 13, 2013) in error.

**Conclusion**

We reviewed the available data and determined that air safety and the public interest require adopting this AD as proposed. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (78 FR 49235, August 13, 2013) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (78 FR 49235, August 13, 2013).

**Costs of Compliance**

We estimate that this AD affects 42 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

**ESTIMATED COSTS**

| Action             | Labor cost                                    | Parts cost | Cost per product | Cost on U.S. operators |
|--------------------|-----------------------------------------------|------------|------------------|------------------------|
| Modification ..... | 20 work-hours × \$85 per hour = \$1,700 ..... | \$1,018    | \$2,718          | \$114,156              |

### 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 that 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

### Examining the AD Docket

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2013-0688-0002>; 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 AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the ADDRESSES section.

### 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:

**2013-24-09 EADS CASA (Type Certificate Previously Held by Construcciones Aeronáuticas, S.A.): Amendment 39-17683. Docket No. FAA-2013-0688; Directorate Identifier 2012-NM-221-AD.**

#### (a) Effective Date

This airworthiness directive (AD) becomes effective January 21, 2014.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to EADS CASA (Type Certificate previously held by Construcciones Aeronáuticas, S.A.) Model C-212-CB, C-212-CC, C-212-CD, C-212-CE, and C-212-DF airplanes; certificated in any category; all serial numbers, except those that have been modified in production to incorporate EADS CASA Modification 10515.

#### (d) Subject

Air Transport Association (ATA) of America Code 76, Engine Controls.

#### (e) Reason

This AD was prompted by a report of the propeller pitch control (PPC) lever becoming disconnected from the engine due to a missing bolt. We are issuing this AD to prevent PPC shaft disconnection, which could lead to a loss of propeller pitch control, possibly resulting in uncommanded change to the engine power settings and consequent reduced controllability of the airplane.

#### (f) Compliance

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

#### (g) Modification

Within 24 months after the effective date of this AD, modify the PCC lever attachment system of the aircraft engine, in accordance with the Accomplishment Instructions of EADS-CASA Service Bulletin SB-212-76-0009, Revision 1, dated August 03, 2012.

**Note 1 to paragraph (g) of this AD:** EADS-CASA Service Bulletin SB-212-76-0009,

Revision 1, dated August 03, 2012, refers to Honeywell Service Bulletin TPE331-72-2190, dated December 21, 2011, as an additional source of guidance for modifying the cam assembly.

#### (h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, ANM-116, International Branch, Transport Airplane Directorate, 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 International Branch, send it to ATTN: Shahram Daneshmandi, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-1112; fax (425) 227-1149. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@faa.gov). 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. The AMOC approval letter must specifically reference this AD.

(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.

#### (i) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2012-0251, dated November 27, 2012, for related information. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2013-0688-0002>.

(2) Honeywell service information referenced in this AD can be obtained from Honeywell International Inc., 111 S. 34th Street, Phoenix, AZ 85034-2802; Web site: <http://portal.honeywell.com>; or call Honeywell toll free at phone: 800-601-3099 (U.S./Canada) or 602-365-3099 (International Direct).

#### (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 this AD specifies otherwise.

(i) EADS-CASA Service Bulletin SB-212-76-0009, Revision 1, dated August 03, 2012.

(ii) Reserved.

(3) For EADS-CASA service information identified in this AD, contact EADS-CASA,

Military Transport Aircraft Division (MTAD), Integrated Customer Services (ICS), Technical Services, Avenida de Aragón 404, 28022 Madrid, Spain; telephone +34 91 585 55 84; fax +34 91 585 55 05; email [MTA.TechnicalService@casa.eads.net](mailto:MTA.TechnicalService@casa.eads.net); Internet <http://www.eads.net>.

(4) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(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 Renton, Washington, on November 15, 2013.

**John Piccola,**

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

[FR Doc. 2013-29050 Filed 12-13-13; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2013-0586; **Airspace**  
Docket No. 13-ASW-11]

#### **Amendment of Class E Airspace; Gainesville, TX**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E airspace at Gainesville, TX. Decommissioning of the Gainesville non-directional beacon (NDB) at Gainesville Municipal Airport has made reconfiguration necessary for standard instrument approach procedures and for the safety and management of Instrument Flight Rule (IFR) operations at the airport.

**DATES:** *Effective date:* 0901 UTC, February 6, 2014. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone 817-321-7716.

#### **SUPPLEMENTARY INFORMATION:**

#### **History**

On August 26, 2013, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class E airspace for the Gainesville, TX, area, creating additional controlled airspace at Gainesville Municipal Airport (78 FR 52714) Docket No. FAA-2013-0586. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

#### **The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by amending Class E airspace extending upward from 700 feet above the surface to for standard instrument approach procedures at Gainesville Municipal Airport, Gainesville, TX. Airspace reconfiguration to within a 6.6-mile radius of the airport, with a segment extending from the 6.6-mile radius to 10.4 miles north of the airport is necessary due to the decommissioning of the Gainesville NDB and the cancellation of the NDB approach. Controlled airspace is necessary for the safety and management of IFR operations at the airport. Geographic coordinates of the airport are updated to be in concert with the FAA's aeronautical database.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1,

Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends controlled airspace at Gainesville Municipal Airport, Gainesville, TX.

#### **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

#### **Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### **PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### **§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface*

\* \* \* \* \*

#### **ASW TX E5 Gainesville, TX [Amended]**

Gainesville Municipal Airport, TX  
(Lat. 33°39'08" N., long. 97°11'50" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile