

## Applicability

As discussed above, these special conditions are applicable to the Dassault Model Falcon 6X airplane. Should Dassault apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well.

## Conclusion

This action affects only a certain novel or unusual design feature on one model of airplane. It is not a rule of general applicability.

## List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

## Authority Citation

The authority citation for these special conditions is as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40113, 44701, 44702, 44704.

## The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Dassault Aviation Model Falcon 6X airplanes.

In lieu of the requirements of 14 CFR 25.1351(d), the following special conditions apply:

(a) The applicant must show, by test or a combination of test and analysis, that the airplane is capable of continued safe flight and landing with all normal electrical power sources inoperative, as prescribed by paragraphs (b)(1) and (b)(2) below. For purposes of this special condition, normal sources of electrical-power generation do not include alternate power sources such as a battery, ram-air turbine, or independent power systems such as a flight-control permanent-magnet generating system.

(b) The airplane is demonstrated to be capable of continued safe flight and landing by ensuring the performance of the systems capability, effects on crew workload and operating conditions, and the physiological needs of the flightcrew and passengers meet the requirements for the longest diversion time for which approval is sought.

(1) Common-cause failures, cascading failures, and zonal physical threats must be considered in showing compliance with this requirement.

(2) The ability to restore operation of portions of the electrical-power generation and distribution system may be considered if it can be shown that

unrecoverable loss of those portions of the system is extremely improbable. An alternative source of electrical power must be provided for the time required to restore the minimum electrical-power-generation capability required for safe flight and landing. Unrecoverable loss of all engines may be excluded when showing that unrecoverable loss of critical portions of the electrical system is extremely improbable. Unrecoverable loss of all engines is covered in special condition (c), below, and thus may be excluded when showing compliance with this requirement.

(c) Regardless of any electrical-generation and distribution-system recovery capability shown under special condition (a), above, sufficient electrical-system capability must be provided to:

(1) Allow time to descend, with all engines inoperative, at the speed that provides the best glide distance, from the maximum operating altitude to the altitude at the top of the engine restart envelope, and

(2) Subsequently allow multiple start attempts of the engines and APU. This capability must be provided in addition to the electrical capability required by existing part 25 requirements related to operation with all engines inoperative.

(d) The airplane emergency electrical-power system must be designed to supply electrical power required for:

(1) Immediate safety, which must continue to operate without the need for flightcrew action following the loss of the normal electrical power, for a duration sufficient to allow reconfiguration to provide a non-time-limited source of electrical power.

(2) Continued safe flight and landing for the maximum diversion time.

(e) If APU-generated electrical power is used in satisfying the requirements of these special conditions, and if reaching a suitable runway upon which to land is beyond the capacity of the battery systems, then the APU must be able to be started under any foreseeable flight condition prior to the depletion of the battery or the restoration of normal electrical power, which ever occurs first. Flight tests must demonstrate this capability at the most critical condition.

(1) The applicant must show that the APU will provide adequate electrical power for continued safe flight and landing.

(2) The Airplane Flight Manual (AFM) must incorporate non-normal procedures that direct the pilot to take appropriate actions to activate the APU after loss of normal engine-generated electrical power.

(f) As a part of showing compliance with these special conditions, the tests by which loss of all normal electrical power is demonstrated must also take into account the following:

(1) The failure condition should be assumed to occur during night instrument meteorological conditions (IMC), at the most critical phase of the flight, relative to the worst possible electrical-power distribution and equipment-loads-demand condition.

(2) After the un-restorable loss of normal engine-generated electrical power, the airplane-engine-restart capability must be provided and operations continued in IMC.

(3) The applicant must demonstrate that the aircraft is capable of continued safe flight and landing. The length of time must be computed based on the maximum diversion-time capability for which the airplane is being certified. Consideration for airspeed reductions resulting from the associated failure or failures must be made.

(4) The airplane must provide adequate indication of loss of normal electrical power to direct the pilot to the non-normal procedures, and the AFM must incorporate non-normal procedures that will direct the pilot to take appropriate actions.

Issued in Kansas City, Missouri, on February 22, 2023.

**Patrick R. Mullen,**

*Manager, Technical Innovation Policy Branch, Policy and Innovation Division, Aircraft Certification Service.*

[FR Doc. 2023-03981 Filed 2-24-23; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 39

[Docket No. FAA-2022-1485; Project Identifier MCAI-2022-00522-T; Amendment 39-22333; AD 2023-03-08]

**RIN 2120-AA64**

### Airworthiness Directives; Bombardier, Inc., Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Bombardier, Inc., Model BD-700-2A12 airplanes. This AD was prompted by a report that certain fasteners attaching the fuselage skin to a certain stringer may be missing. This AD requires inspecting for missing fasteners and

damage, including cracking, of the affected area, and repair or installation of fasteners if necessary. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective April 3, 2023.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 3, 2023.

**ADDRESSES:**

**AD Docket:** You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2022–1485; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**Material Incorporated by Reference:**

- For service information identified in this final rule, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–2999; email [ac.yul@aero.bombardier.com](mailto:ac.yul@aero.bombardier.com); website [bombardier.com](https://www.bombardier.com).

- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2022–1485.

**FOR FURTHER INFORMATION CONTACT:**

Jiwan Karunatilake, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email [9-avs-nyaco-cos@faa.gov](mailto:9-avs-nyaco-cos@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Bombardier, Inc., Model BD–700–2A12 airplanes. The NPRM published in the **Federal Register** on November 25, 2022 (87 FR 72419). The NPRM was prompted by AD CF–2022–17, dated April 13, 2022, issued by Transport Canada, which is the aviation authority for Canada (referred to after this as the MCAI). The MCAI states that certain fasteners attaching the fuselage skin to stringer 19 between fuselage station (FS) FS945.75 and FS961.45 may be missing. The affected area of the fuselage is a build-up of skin, stringers, and frames, and is identified as a principal structural element for which missing fasteners could significantly reduce safety margins.

In the NPRM, the FAA proposed to require inspecting for missing fasteners and damage, including cracking, of the affected area, and repair or installation of fasteners if necessary. The FAA is issuing this AD to address missing fasteners, which may subject the skin to inter-rivet buckling under compressive load. The unsafe condition, if not addressed, could create a hazard of permanent deformation and/or cracking of the skin.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2022–1485.

**Discussion of Final Airworthiness Directive**

**Comments**

The FAA received no comments on the NPRM or on the determination of the cost to the public.

**Additional Changes Made to This AD**

The FAA has revised paragraph (g) of this AD to clarify that, if any damage or missing fasteners are found, the damage must be repaired or the fasteners installed before further flight. In the NPRM, the FAA inadvertently left out the compliance time for this action. However, as stated in the NPRM, the affected area is identified as a principal

structural element for which missing fasteners could significantly reduce safety margins. Further, missing fasteners may create a hazard of permanent deformation and/or cracking of the skin. Therefore, damage needs to be repaired and missing fasteners need to be installed before further flight to address the identified unsafe condition.

**Conclusion**

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on this product. Except for minor editorial changes, and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

**Related Service Information Under 1 CFR Part 51**

The FAA reviewed Bombardier Service Bulletin 700–53–7547, dated July 21, 2021. This service information specifies procedures for inspecting the affected area of the fuselage skin attached to stringer 19 between FS945.75 and FS961.45 for missing fasteners and associated damage, and for installing missing fasteners and repairing any damage. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

**Costs of Compliance**

The FAA estimates that this AD affects 11 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

**ESTIMATED COSTS FOR REQUIRED ACTIONS**

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
5 work-hours × \$85 per hour = \$425 .....	\$0	\$425	\$4,675

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on

the results of any required actions. The FAA has no way of determining the

number of aircraft that might need these on-condition actions:

## ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
27 work-hours × \$85 per hour = \$2,295 .....	\$5,792	\$8,087

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected operators.

#### 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.

The FAA is 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

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) Will not affect intrastate aviation in Alaska, 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.

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

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

#### 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 airworthiness directive:

**2023–03–08 Bombardier, Inc.:** Amendment 39–22333; Docket No. FAA–2022–1485; Project Identifier MCAI–2022–00522–T.

##### (a) Effective Date

This airworthiness directive (AD) is effective April 3, 2023.

##### (b) Affected ADs

None.

##### (c) Applicability

This AD applies to Bombardier, Inc., Model BD–700–2A12 airplanes, certificated in any category, serial numbers 70020 through 70039 inclusive, 70041, 70046, and 70047.

##### (d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

##### (e) Unsafe Condition

This AD was prompted by a report that certain fasteners attaching the fuselage skin to a certain stringer may be missing. The FAA is issuing this AD to address missing fasteners, which may subject the skin to inter-rivet buckling under compressive load. The unsafe condition, if not addressed, could create a hazard of permanent deformation and/or cracking of the skin.

##### (f) Compliance

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

##### (g) Required Actions

Within 32 months from the effective date of this AD: Do a detailed visual inspection for missing fasteners and damage, including cracking, in the fuselage skin attached to stringer 19 between fuselage station (FS) FS945.75 and FS961.45. If any damage or missing fasteners are found: Before further flight, repair any damage found, and install fasteners where missing, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 700–53–7547, dated July 21, 2021.

#### (h) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO Branch, 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 responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada; or Bombardier, Inc.'s Transport Canada Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

#### (i) Additional Information

(1) Refer to Transport Canada AD CF–2022–17, dated April 13, 2022, for related information. This Transport Canada AD may be found in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2022–1485.

(2) For more information about this AD, contact Jiwan Karunatilake, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email [9-avs-nyacos@faa.gov](mailto:9-avs-nyacos@faa.gov).

#### (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) Bombardier Service Bulletin 700–53–7547, dated July 21, 2021.

(ii) [Reserved]

(3) For service information identified in this AD, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–2999; email [ac.yul@aero.bombardier.com](mailto:ac.yul@aero.bombardier.com); website [bombardier.com](http://bombardier.com).

(4) You may view this service information at the FAA, Airworthiness Products Section,

Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(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, email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to: [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

Issued on February 1, 2023.

**Christina Underwood,**

*Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2023–03692 Filed 2–24–23; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2022–1245; Project Identifier MCAI–2022–00503–T; Amendment 39–22334; AD 2023–03–09]

RIN 2120–AA64

#### Airworthiness Directives; ATR—GIE Avions de Transport Régional Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is superseding Airworthiness Directive (AD) 2021–20–09, which applied to certain ATR—GIE Avions de Transport Régional Model ATR72 airplanes. AD 2021–20–09 required revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. This AD was prompted by a determination that new or more restrictive tasks and airworthiness limitations are necessary. This AD continues to require the actions in AD 2021–20–09 and requires revising the existing maintenance or inspection program, as applicable, to incorporate additional new or more restrictive tasks and airworthiness limitations, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective April 3, 2023.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 3, 2023.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of December 27, 2021 (86 FR 64805, November 19, 2021).

#### ADDRESSES:

**AD Docket:** You may examine the AD docket at [regulations.gov](http://regulations.gov) under Docket No. FAA–2022–1245; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

#### Material Incorporated by Reference:

- For material incorporated by reference in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADS@easa.europa.eu](mailto:ADS@easa.europa.eu); website [easa.europa.eu](http://easa.europa.eu). You may find this material on the EASA website at [ad.easa.europa.eu](http://ad.easa.europa.eu).

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available in the AD docket at [regulations.gov](http://regulations.gov) under Docket No. FAA–2022–1245.

**FOR FURTHER INFORMATION CONTACT:** Shahram Daneshmandi, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3220; email [shahram.daneshmandi@faa.gov](mailto:shahram.daneshmandi@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2021–20–09, Amendment 39–21747 (86 FR 64805, November 19, 2021) (AD 2021–20–09). AD 2021–20–09 applied to certain ATR—GIE Avions de Transport Régional Model ATR72–101, –102, –201, –202, –211, –212, and –212A airplanes. AD 2021–20–09 required revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA issued AD 2021–20–09 to address reduced structural integrity of the airplane.

The NPRM published in the **Federal Register** on December 6, 2022 (87 FR

74538). The NPRM was prompted by AD 2022–0201, dated September 26, 2022, issued by EASA (EASA AD 2022–0201) (referred to after this as the MCAI). The MCAI states that the manufacturer updated the time limits document to introduce new or more restrictive tasks and limitations.

You may examine the MCAI in the AD docket at [regulations.gov](http://regulations.gov) under Docket No. FAA–2022–1245.

In the NPRM, the FAA proposed to continue to require the actions in AD 2021–20–09 and require revising the existing maintenance or inspection program, as applicable, to incorporate additional new or more restrictive tasks and airworthiness limitations, as specified in EASA AD 2022–0201. The FAA is issuing this AD to address fatigue cracking and damage in principal structural elements, which could result in reduced structural integrity of the airplane.

#### Discussion of Final Airworthiness Directive

##### Comments

The FAA received a comment from the Air Line Pilots Association, International (ALPA), who supported the NPRM without change.

##### Explanation of Revised Applicability

The FAA revised paragraph (c) of this AD to apply to airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before September 21, 2022 (the issuance date of the service information referenced in EASA AD 2022–0201). Airplanes with an original airworthiness certificate or original export certificate of airworthiness issued after September 21, 2022, must comply with the airworthiness limitations specified as part of the approved type design and referenced on the type certificate data sheet; this AD therefore does not include those airplanes in the applicability. In the NPRM, the FAA inadvertently specified a date of February 3, 2022, which is the issuance date of a prior revision of the service information referenced in EASA AD 2022–0201. The FAA has confirmed no affected airplanes were added to the U.S. Registry between February 3, 2022 and September 21, 2022.

##### Conclusion

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described