

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2008-0179; Directorate Identifier 2007-NM-367-AD]

RIN 2120-AA64

Airworthiness Directives; Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-201, DHC-8-202, DHC-8-301, DHC-8-311, and DHC-8-315 Airplanes

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

ACTION: Supplemental notice of proposed rulemaking (NPRM); reopening of comment period.

SUMMARY: We are revising an earlier NPRM for the products listed above. This action revises the earlier NPRM by expanding the scope. 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:

Bombardier Aerospace has completed a system safety review of the aircraft fuel system against fuel tank safety standards * * *.

[A]ssessment showed that supplemental maintenance tasks [inspections of fuel tank bonding jumpers, wiring harnesses, and drain valve components, among other items and actions; and applicable corrective actions] are required to prevent potential ignition sources inside the fuel system, which could result in a fuel tank explosion. * * *

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 May 21, 2008.

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 W12-40, 1200 New Jersey Avenue, SE., Washington, DC, 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 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. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT:

Rocco Viselli, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7331; fax (516) 794-5531.

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-2008-0179; Directorate Identifier 2007-NM-367-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 based on 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 proposed to amend 14 CFR part 39 with an earlier NPRM for the specified products, which was published in the **Federal Register** on February 19, 2008 (73 FR 9055). That earlier NPRM proposed to require actions intended to address the unsafe condition for the products listed above.

Since that earlier NPRM was issued, we have determined that for certain airplanes the initial compliance times for doing the tasks specified in paragraph (f)(1) of the earlier NPRM must be reduced. That earlier NPRM resulted from Canadian Airworthiness Directive CF-2007-32, dated December 17, 2007 (referred to after this as "the MCAI").

The MCAI does not provide an initial compliance time for doing the tasks for certain airplanes. For those airplanes, in the earlier NPRM we proposed an initial compliance time that started from the effective date of the AD; or the date of issuance of the original Canadian standard airworthiness certificate or the date of issuance of the original Canadian export certificate of airworthiness; whichever occurs later. Although unstated in the MCAI, we have determined that the intent of the MCAI is for the initial compliance time to start from the initial delivery date of the airplane in order to address the identified unsafe condition in a timely manner. We have also revised the initial compliance times for clarity by providing a threshold and grace period for each task. We have revised this supplemental NPRM by adding Table 2 to specify the initial compliance times for each task. You may obtain further information by examining the MCAI in the AD docket.

FAA's Determination and Requirements of This 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 the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Certain changes described above expand the scope of the earlier NPRM. As a result, we have determined that it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this proposed AD.

Differences Between This 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 required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are highlighted in a NOTE within the AD.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 122 products of U.S. registry. We also estimate that it would take about 1 work-hour per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$9,760, or \$80 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, 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:

Bombardier, Inc. (Formerly de Havilland, Inc.): Docket No. FAA-2008-0179; Directorate Identifier 2007-NM-367-AD.

Effective Date

(a) We must receive comments by May 21, 2008.

Affected ADs

(b) None.

Applicability

(c) This AD applies to all Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-201, DHC-8-202, DHC-8-301, DHC-8-311, and DHC-8-315 airplanes, certificated in any category, all serial numbers.

Note 1: This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (g) of this AD. The request

should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Subject

(d) Air Transport Association (ATA) of America Code 28: Fuel.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states: Bombardier Aerospace has completed a system safety review of the aircraft fuel system against fuel tank standards introduced in Chapter 525 of the Airworthiness Manual through Notice of Proposed Amendment (NPA) 2002-043. The identified non-compliances were then assessed using Transport Canada Policy Letter No. 525-001, to determine if mandatory corrective action is required.

The assessment showed that supplemental maintenance tasks [inspections of fuel tank bonding jumpers, wiring harnesses, and drain valve components, among other items and actions; and applicable corrective actions] are required to prevent potential ignition sources inside the fuel system, which could result in a fuel tank explosion. Revisions have been made to Part 2 "Airworthiness Limitations List" of the DHC-8 Maintenance Program Manuals to introduce the required maintenance tasks.

The corrective action is revising the Airworthiness Limitations Section of the Instructions for Continued Airworthiness to incorporate new limitations for fuel tank systems.

Actions and Compliance

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

(1) Within 60 days after the effective date of this AD, or before December 16, 2008, whichever occurs first, revise the Airworthiness Limitations Section (ALS) of the Instructions for Continued Airworthiness to incorporate the fuel system limitations tasks identified in the de Havilland temporary revisions (TRs) to Part 2 "Airworthiness Limitations List" of the Dash 8 Series Maintenance Program Manuals ("the MPMs"). The TRs are listed in Table 1 of this AD. For the tasks identified in the TRs, the initial compliance times start at the later of the applicable "Threshold" and "Grace Period" times specified in Table 2 of this AD, and the repetitive limitation tasks must be accomplished thereafter at the interval specified in the TRs to the MPM, except as provided by paragraphs (f)(2), (f)(3), (f)(4), and (g)(1) of this AD.

TABLE 1.—TEMPORARY REVISIONS

Model	de Havilland TR	MPM
DHC-8-102, DHC-8-103, and DHC-8-106 airplanes.	AWL-110, dated August 31, 2007	Dash 8 Series 100 MPM, Product Support Manual (PSM) 1-8-7, Part 2, "Airworthiness Limitations List".
DHC-8-201, and DHC-8-202 airplanes.	AWL 2-43, dated August 31, 2007	Dash 8 Series 200 MPM, PSM 1-82-7, Part 2, "Airworthiness Limitations List".
DHC-8-301, DHC-8-311, and DHC-8-315 airplanes.	AWL 3-109, dated August 31, 2007.	Dash 8 Series 300 MPM, PSM 1-83-7, Part 2, "Airworthiness Limitations List".

TABLE 2.—INITIAL INSPECTIONS

Description	Compliance time (whichever occurs later)	
	Threshold	Grace period
Tasks with 6,000 flight hours/36 month intervals	Before the accumulation of 6,000 total flight hours, or within 36 months since new, whichever occurs first.	Within 2,000 flight hours or 12 months after the effective date of this AD, whichever occurs first.
Tasks with 18,000 flight hours/108 month intervals.	Before the accumulation of 18,000 total flight hours, or within 108 months since new, whichever occurs first.	Within 6,000 flight hours or 36 months after the effective date of this AD, whichever occurs first.
Tasks with 72,000 flight hours/36 year intervals	Before the accumulation of 72,000 total flight hours, or within 36 years since new, whichever occurs first.	Within 600 flight hours or 3 months after the effective date of this AD, whichever occurs first.

Note 2: The actions required by paragraph (f)(1) of this AD may be done by inserting a copy of the applicable TR listed in Table 1 of this AD into the Airworthiness Limitations section of the applicable MPM listed in Table 1 of this AD. When the applicable TR has been included in general revisions of the applicable MPM, the general revisions may be inserted in the MPM, provided the relevant information in the general revision is identical to that in the applicable TR.

(2) For those tasks with 6,000 flight hours/36 month limitation task intervals: For airplanes that have accumulated 4,000 total flight hours or more, or 24 months or more since new, as of the effective date of this AD, do the initial limitation tasks within 2,000

flight hours or 12 months after the effective date of this AD, whichever occurs first. Thereafter, repeat the limitation tasks at intervals not to exceed 6,000 flight hours or 36 months, whichever occurs first.

(3) For those tasks with 18,000 flight hours/108 month limitation task intervals: For airplanes that have accumulated 12,000 total flight hours or more, or 72 months or more since new, as of the effective date of this AD, do the initial limitation tasks within 6,000 flight hours or 36 months after the effective date of this AD, whichever occurs first. Thereafter, repeat the limitation tasks at intervals not to exceed 18,000 flight hours or 108 months, whichever occurs first.

(4) After accomplishing the actions specified in paragraphs (f)(1), (f)(2), and (f)(3)

of this AD, no alternative inspections/limitation tasks or inspection/limitation task intervals may be used unless the inspections/limitation tasks or inspection/limitation task intervals are part of a later revision of Part 2 “Airworthiness Limitations List” of the applicable de Havilland Dash 8 Series MPM listed in Table 3 of this AD, that is approved by the Manager, New York Aircraft Certification Office (ACO), FAA, or the Transport Canada Civil Aviation (TCCA) (or its delegated agent); or unless inspections/limitation tasks or inspection/limitation task intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (g)(1) of this AD.

TABLE 3.—MAINTENANCE PROGRAM MANUALS

Model	MPM
DHC-8-102, DHC-8-103, and DHC-8-106 airplanes.	Dash 8 Series 100 MPM, PSM 1-8-7, Part 2, “Airworthiness Limitations List,” Revision 17, dated April 19, 2005.
DHC-8-201, and DHC-8-202 airplanes	Dash 8 Series 200 MPM, PSM 1-82-7, Part 2, “Airworthiness Limitations List,” Revision 5, dated August 15, 2001.
DHC-8-301, DHC-8-311, and DHC-8-315 airplanes.	Dash 8 Series 300 MPM, PSM 1-83-7, Part 2, “Airworthiness Limitations List,” Revision 16, dated August 15, 2001.

FAA AD Differences

Note 3: 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, New York ACO, 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: Rocco Viselli, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7331;

fax (516) 794-5531. 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, 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 Canadian Airworthiness Directive CF-2007-32, dated December 17, 2007, and the temporary revisions listed in Table 1 of this AD.

Issued in Renton, Washington, on April 24, 2008.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8-9575 Filed 4-30-08; 8:45 am]

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