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.

(h) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2013–0073–E, dated March 21, 2013, for related information.

(i) 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) Magnaghi Aeronautica SpA Service Bulletin SB–C n. SB–005–2013–SKY ARROW, Issue 1, dated March 13, 2013.

(ii) Reserved.

(3) For Iniziative Industriali Italiane S.p.A. service information identified in this AD, contact Magnaghi Aeronautica S.p.A., Via G. Ferraris, 76, 80142 Napoli, Italy; telephone: + 39 081 5977 225; fax: + 39 081 5977 226; email: *dtedesco@magnaghiaeronautica.it;* Internet: *www.magnaghiaeronautica.it.*

(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 May 20, 2013.

Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–12516 Filed 6–3–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2012–1322; Directorate Identifier 2012–NM–155–AD; Amendment 39–17466; AD 2013–11–06]

RIN 2120–AA64

Airworthiness Directives; Dassault Aviation Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Dassault Aviation Model Mystere-Falcon 900 and Falcon 900EX airplanes. This AD was prompted by reports of chafing between the tail strobe power supply and a hydraulic line. This AD requires modifying the tail strobe power supply wire routing. We are issuing this AD to prevent chafing between the tail strobe power supply and a hydraulic line, which could result in hydraulic fluid leakage and possible fire due to arcing, and consequent loss of control of the airplane due to structural failure of the tail.

DATES: This AD becomes effective July 9, 2013.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of July 9, 2013.

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: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–1137; 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. That NPRM was published in the **Federal Register** on February 5, 2013 (78 FR 8052). That 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 2012–0162, dated August 29, 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:

> Two reports were received concerning Falcon 900 aeroplanes, where chafing between the tail strobe power supply and a hydraulic line was found. In the latest reported occurrence, the chafing damaged the power line and created an electrical arcing which created a pin hole in the hydraulic line, leading to hydraulic fluid leakage.
>
> This condition, if not corrected, could jeopardize the aeroplane's safe flight.
>
> To address this potential unsafe condition, Dassault Aviation developed modification (M5741) of the routing of the tail strobe power supply wire, which is available for accomplishment in service through Dassault Service Bulletin (SB) F900–431 or SB F900EX–437, as applicable to aeroplane model.
>
> For the reasons described above, this [EASA] AD requires modification of the routing of the tail strobe power supply wire.

The unsafe condition is chafing between the tail strobe power supply and a hydraulic line, which could result in hydraulic fluid leakage and possible fire due to arcing, and consequent loss of control of the airplane due to structural failure of the tail. 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 received no comments on the NPRM (78 FR 8052, February 5, 2013) or on the determination of the cost to the public.

Conclusion

We reviewed the available 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 (78 FR 8052, February 5, 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 8052, February 5, 2013).

Costs of Compliance

We estimate that this AD will affect 180 products of U.S. registry. We also estimate that it will take about 2 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Required parts will cost about $31 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators to be $36,180, or $201 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 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 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 the NPRM (78 FR 8052, February 5, 2013), 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:

2013–11–06 Dassault Aviation: Amendment 39–17466. Docket No. FAA–2012–1322; Directorate Identifier 2012–NM–155–AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective July 9, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the airplanes specified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category.

(1) Dassault Aviation Model Mystere-Falcon 900 airplanes, serial numbers 142 and subsequent.

(2) Dassault Aviation Model Falcon 900EX airplanes, all serial numbers except those on which Dassault Aviation Modification M5741 has been embodied in production.

(d) Subject

Air Transport Association (ATA) of America Code 24, Electrical Power.

(e) Reason

This AD was prompted by reports of chafing between the tail strobe power supply and a hydraulic line. We are issuing this AD to prevent chafing between the tail strobe power supply and a hydraulic line, which could result in hydraulic fluid leakage and possible fire due to arcing, and consequent loss of control of the airplane due to structural failure of the tail.

(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) Actions

Within 65 days or 200 flight hours after the effective date of this AD, whichever occurs first: Modify the tail strobe power supply wire routing, in accordance with the Accomplishment Instructions of Dassault Mandatory Service Bulletin F900–431, dated November 8, 2011 (for Model Mystere-Falcon 900 airplanes); or Dassault Mandatory Service Bulletin F900EX–437, dated November 8, 2011 (for FALCON 900EX airplanes).

(h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, 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: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–1137; fax (425) 227–1149. Information may be emailed to: *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

Refer to Mandatory Continuing Airworthiness Information European

Aviation Safety Agency Airworthiness Directive 2012–0162, dated August 29, 2012, and the service information specified in paragraphs (i)(1) and (i)(2) of this AD, for related information.

(1) Dassault Mandatory Service Bulletin F900–431, dated November 8, 2011.

(2) Dassault Mandatory Service Bulletin F900EX–437, dated November 8, 2011.

(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) Dassault Mandatory Service Bulletin F900–431, dated November 8, 2011.

(ii) Dassault Mandatory Service Bulletin F900EX–437, dated November 8, 2011.

(3) For service information identified in this AD, contact Dassault Falcon Jet, P.O. Box 2000, South Hackensack, NJ 07606; telephone 201–440–6700; Internet *http://www.dassaultfalcon.com.*

(4) You may review copies of the 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 May 17, 2013.

Jeffrey E. Duven,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–12722 Filed 6–3–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2012–1227; Directorate Identifier 2012–NM–016–AD; Amendment 39–17467; AD 2013–11–07]

RIN 2120–AA64

Airworthiness Directives; Embraer 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 Embraer S.A. Model ERJ 190 airplanes. This AD was prompted by reports of cracks on the side stay of the main landing gear (MLG). This AD requires repetitive measurements of the left-hand (LH) and right-hand (RH) MLG side stay support fitting to detect bushing migration, and eventual replacement of the bushing; and a detailed inspection for damage on the LH and RH MLG side stay support assembly, and related investigative and corrective actions if necessary. We are issuing this AD to prevent excessive bearing friction, which might compromise the MLG free fall extension and cause fatigue cracking on the MLG side stay and on its support assembly, resulting in reduced structural integrity of the MLG.

DATES: This AD becomes effective July 9, 2013.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of July 9, 2013.

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: Cindy Ashforth, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–2768; 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. That NPRM was published in the **Federal Register** on December 17, 2012 (77 FR 74628). That NPRM proposed to correct an unsafe condition for the specified products. The Mandatory Continuing Airworthiness Information (MCAI) states:

> This [Agência Nacional de Aviação Civil (ANAC)] AD results from reports of cracks on the Main Landing Gear (MLG) Side Stay. Further investigation has revealed that the cracks were caused by excessive friction on the MLG Side Stay Support Fitting due to its outer bushing migration. This [ANAC] AD is being issued to prevent such excessive bearing friction which may compromise the MLG free fall extension and; cause fatigue cracks on the MLG Side Stay and on the MLG Side Stay Support Assembly resulting in reduced structural integrity of the MLG.
>
> * * * * *

The required actions include repetitive measurements of the LH and RH MLG side stay support fitting to detect bushing migration, and eventual replacement of the bushing; and a detailed inspection for damage on the LH and RH MLG side stay support assembly, and related investigative and corrective actions if necessary. The related investigative actions include a general visual inspection and an eddy current inspection for any cracking on the upper and lower side stays of the affected side stay support assembly. The corrective actions include replacing or repairing the MLG side stay or MLG side stay assembly and removing corrosion. 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.

Request To Revise Compliance Time

JetBlue Airways requested that the compliance time for the inspection and replacement of the bushing for the MLG side stay support fitting be revised to match the EMBRAER service information. JetBlue Airways stated that according to EMBRAER Service Bulletin 190–57–0036, Revision 02, dated August 12, 2011, the reason for the replacement of the bushing of the MLG side stay support fitting is to ensure that the MLG side stay support fitting remains properly lubricated. In addition, JetBlue Airways stated that the service information is based on the difficulty of the lubrication of the MLG side stay fitting, which is lubricated using a certain maintenance manual and has a compliance time of intervals not to exceed 600 flight cycles. JetBlue Airways stated that if the bushing lubrication of the MLG side stay support fitting is normal with no difficulties, there should not be a technical reason to defer the replacement of the MLG side stay support fitting to an interval not to exceed 1,200 flight cycles after the effective date of the final rule. JetBlue Airways stated, however, that if the MLG side stay support fitting cannot be properly lubricated, then it is prudent to inspect the bushing for migration of the MLG side stay support fitting and replace the MLG side stay fitting in accordance with paragraphs (g) and (h) of the NPRM (77 FR 74628, December 17, 2012), respectively.

We disagree with the commenter's request. Agência Nacional de Aviação Civil (ANAC), which is the aviation authority for Brazil, has determined that an unsafe condition can occur regardless of whether or not the MLG side stay is properly lubricated. We have not received sufficient data to