

EMB-120 Brasilia MRBR, MRB-HI-200: The initial compliance time is within 4,000 flight hours or 48 months after April 3, 2008, whichever occurs first. Thereafter those tasks must be accomplished at the repetitive interval specified in Section 6—"Part E—Fuel System Limitations," EMBRAER Temporary Revision No. 22-1, dated November 18, 2005, of the EMBRAER EMB-120 Brasilia MRBR, MRB-HI-200.

(4) After accomplishing the actions specified in paragraphs (f)(1) and (f)(2) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are approved as an alternative method of compliance in accordance with the procedures specified in paragraph (g)(1) of this AD.

New Information

Explanation of CDCCL Requirements

Note 2: Notwithstanding any other maintenance or operational requirements, components that have been identified as airworthy or installed on the affected airplanes before the revision of the ALS, as required by paragraph (f) of this AD, do not need to be reworked in accordance with the CDCCLs. However, once the ALS has been revised, future maintenance actions on these components must be done in accordance with the CDCCLs.

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, 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. Send information to ATTN: Todd Thompson, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards 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.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, (44 U.S.C. 3501 *et seq.*), 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 Brazilian Airworthiness Directive 2007-05-02, effective June 6, 2007; EMBRAER Temporary Revision No. 22-1, dated November 18, 2005, of the EMBRAER EMB-120 Brasilia MRBR, MRB-HI-200; and Section 6—"Part D—Critical Design Configuration Control Limitation," of the EMBRAER EMB-120 Brasilia MRBR, MRB-HI-200; for related information.

Material Incorporated by Reference

(i) You must use EMBRAER Temporary Revision No. 22-1, dated November 18, 2005, of the EMBRAER EMB-120 Brasilia Maintenance Review Board Report, MRB-HI-200; and pages 6.III.1 and 6.III.2, dated March 22, 2005, of Section 6—"Part D—Critical Design Configuration Control Limitation," of the EMBRAER EMB-120 Brasilia Maintenance Review Board Report, MRB-HI-200; as applicable; to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register previously approved the incorporation by reference of this service information on April 3, 2008 (73 FR 10655, February 28, 2008).

(2) For service information identified in this AD, contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), Technical Publications Section (PC 060), Av. Brigadeiro Faria Lima, 2170—Putim—12227-901 São Jose dos Campos—SP—Brasil; *telephone:* +55 12 3927-5852 or +55 12 3309-0732; *fax:* +55 12 3927-7546; *e-mail:* distrib@embraer.com.br; Internet: <http://www.flyembraer.com>.

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221 or 425-227-1152.

(4) You may also review copies of the 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/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on October 22, 2009.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9-26122 Filed 10-29-09; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-1003; Directorate Identifier 2009-SW-25-AD; Amendment 39-16064; AD 2009-22-11]

RIN 2120-AA64

Airworthiness Directives; Bell Helicopter Textron Canada Model 407 and 427 Helicopters

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

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for Bell Helicopter Textron Canada (Bell) Model 407 and 427 helicopters. This AD results from a mandatory continuing airworthiness information (MCAI) AD issued by the aviation authority of Canada. The MCAI AD states that, during a preflight check, it was observed that the swashplate link assembly bearing had moved in the lever race, making contact with the swashplate support. The MCAI also states that further investigation revealed that the bearing had not been staked correctly during manufacture. That condition, if not detected, could result in failure of a bearing, failure of the swashplate link assembly, and subsequent loss of control of the helicopter.

DATES: This AD becomes effective on November 16, 2009.

We must receive comments on this AD by December 29, 2009.

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 your comments electronically.

- *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 W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may get the service information identified in this AD from Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, TX 76101, telephone (817) 280-3391, fax (817) 280-6466, or at <http://www.bellcustomer.com/files/>.

Examining the 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 AD, the economic evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is stated in the **ADDRESSES** section of this AD. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT:

Sharon Miles, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations and Guidance Group, Fort Worth, Texas 76137, telephone (817) 222-5122, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION:

Discussion

Transport Canada, which is the aviation authority for Canada, has issued AD No. CF-2009-14, dated April 15, 2009 to correct an unsafe condition for Bell Model 407 helicopters, serial number (S/N) 53000 through 53887, 53890 through 53916, 53918, 53920, 53921, 53923 through 53926, and 53928; and Model 427 helicopters, S/N 56001 through 56074, 58001, and 58002, with an anti-drive link assembly, part number (P/N) 406-010-432-101, that has a serial number prefix of "TI" or "TIFS." Transport Canada states that during a preflight check, it was observed that the swashplate link assembly bearing had moved in the lever race, making contact with the swashplate support. Transport Canada also states that further investigation revealed that the bearing had not been staked correctly during manufacture and that this situation, if not corrected, could lead to loss of control of the helicopter. You may obtain further information by examining the MCAI AD and any related service information in the AD docket.

Related Service Information

Bell has issued Alert Service Bulletin (ASB) No. 407-09-87, dated March 27, 2009, for the Model 407 helicopters and ASB No. 427-09-24, Revision A, dated March 30, 2009, for the Model 427 helicopters. The ASBs specify a one-time inspection of all anti-drive link assemblies, P/N 406-010-432-101 with a serial number prefix of "TI" or "TIFS," to ensure that the bearing, P/N 406-310-403-101, is correctly and securely staked in the link assembly. The actions described in the MCAI AD are intended to correct the same unsafe condition as that identified in the ASBs.

FAA's Evaluation and Unsafe Condition Determination

These products have been approved by the aviation authority of Canada, and are approved for operation in the United States. Pursuant to our bilateral agreement with Canada, they have notified us of the unsafe condition described in the MCAI AD. We are issuing this AD because we evaluated all information provided by Transport Canada and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Differences Between This AD and the MCAI AD

This AD differs from the MCAI AD as follows:

- This AD requires compliance within 10 hours time-in-service (TIS), the MCAI AD requires compliance within the next 10 flight hours, but no later than 30 days from the effective day of the MCAI AD, which was May 6, 2009; and
- This AD does not apply to Model 427 helicopters with S/N 58001 or 58002 because those serial-numbered helicopters are not eligible for an FAA certificate of airworthiness.

Costs of Compliance

We estimate that this AD will affect about 554 helicopters of U.S. registry. We also estimate that it will take about 1 work-hour per helicopter to inspect and replace, if necessary, the bearing or the anti-drive link assembly. The average labor rate is \$80 per work-hour. Required parts will cost about \$400 for a bearing or \$3,517 for an anti-drive link assembly, per helicopter. Based on these figures, we estimate the cost of this AD on U.S. operators will be \$1,992,738 (\$3,597 per helicopter), assuming that all anti-drive link assemblies are replaced.

FAA's Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. We find that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because the previously described critical unsafe condition can adversely affect the structural integrity of the helicopter and the inspection must be performed within 10 hours TIS. Therefore, we have determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists for making this amendment effective in fewer than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. However, we invite you to send us any written data, views, or arguments concerning this AD. Send your comments to an address listed under the **ADDRESSES** section of this AD. Include "Docket No. FAA-2009-1003; Directorate Identifier 2009-SW-25-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this 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 AD.

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 product(s) 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.

Therefore, I certify 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); 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 an economic evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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:

2009–22–11 Bell Helicopter Textron

Canada: Amendment 39–16064. Docket No. FAA–2009–1003; Directorate Identifier 2009–SW–25–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective on November 16, 2009.

Other Affected ADs

(b) None.

Applicability

(c) This AD applies to the following model and serial-numbered helicopters with an anti-drive (swashplate) link assembly (link assembly), part number (P/N) 406–010–432–101, that has a serial number (S/N) prefix of “TI” or “TIFS”, certificated in any category:

Model	Serial Nos.
407	53000 through 53887, 53890 through 53916, 53918, 53920, 53921, 53923 through 53926, and 53928.
427	56001 through 56074.

Reason

(d) The mandatory continuing airworthiness information (MCAI) AD states during a preflight check it was observed that the swashplate link assembly bearing had moved in the lever race, making contact with the swashplate support. The MCAI AD also states that further investigation revealed that the bearing had not been staked correctly during manufacture. That condition, if not detected, could result in failure of a bearing, failure of the link assembly, and subsequent loss of control of the helicopter.

Actions and Compliance

(e) Required as indicated, unless accomplished previously.

(1) Within 10 hours time-in-service (TIS), using a 10x or higher magnifying glass, inspect the link assembly and determine if the bearing, P/N 406–310–403–101, is correctly installed and properly staked in the link assembly. Also inspect to ensure that the bearing is not loose.

(2) Before further flight, replace any bearing that is incorrectly installed or improperly staked in the link assembly.

(3) Before further flight, replace the link assembly if the bearing is loose.

Differences Between This AD and the MCAI AD

(f) This AD differs from the MCAI AD as follows:

(1) This AD requires compliance within 10 hours TIS, the MCAI AD requires compliance within the next 10 flight hours, but no later than 30 days from the effective day of the MCAI AD, which was May 6, 2009; and

(2) This AD does not apply to Model 427 helicopters, S/N 58001 or 58002, because those serial-numbered helicopters are not eligible for an FAA certificate of airworthiness.

Other Information

(g) Alternative Methods of Compliance (AMOCs): The Manager, Safety Management Group, FAA, ATTN: Sharon Miles, Aviation Safety Engineer, Rotorcraft Directorate, Fort Worth, Texas 76137, telephone (817) 222–5122, fax (817) 222–5961, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

Related Information

(h) The following documents contain related information:

(1) Transport Canada AD No. CF–2009–14, dated April 15, 2009;

(2) Bell Helicopter Alert Service Bulletin No. 407–09–87, dated March 27, 2009; and

(3) Bell Helicopter Alert Service Bulletin No. 427–09–24, Revision A, dated March 30, 2009.

Joint Aircraft System/Component (JASC) Code

(i) JASC Code 6230: Main rotor/swashplate.

Issued in Fort Worth, Texas on October 20, 2009.

Mark R. Schilling,

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

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2007–0115; Directorate Identifier 2007–CE–080–AD; Amendment 39–16067; AD 2007–26–08 R1]

RIN 2120–AA64

Airworthiness Directives; Reims Aviation S.A. Model F406 Airplanes

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

ACTION: Final rule.

SUMMARY: We are rescinding an existing airworthiness directive (AD) for the products listed above. The existing AD resulted from mandatory continuing airworthiness information (MCAI) issued 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:

On several occasions, leaks of the landing gear emergency blowdown bottle have been reported. Investigations revealed that the leakage was located on the nut manometer because of a design deficiency in the bottle head.

If left uncorrected, the internal bottle pressure could not be maintained to an adequate level and could result in a malfunction, failing to extend landing gears during emergency situations.

Since issuance of that AD, we have determined that the condition is not unsafe.

DATES: This AD becomes effective December 4, 2009.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4144; fax: (816) 329–4090.

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 July 31, 2009 (74 FR 38140),