

Issued in Renton, Washington, on October 9, 2008.

Ali Bahrami,

Manager, Transport Airplane Directorate,
Aircraft Certification Service.

[FR Doc. E8-25754 Filed 11-5-08; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2008-0990 Directorate Identifier 2008-CE-060-AD; Amendment 39-15724; AD 2008-23-03]

RIN 2120-AA64

Airworthiness Directives; Pilatus Aircraft Ltd. Model PC-6 Series Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results 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:

This Airworthiness Directive (AD) is prompted by a potential problem with the freedom of the brake pedals of some PC-6 series aircraft.

The freedom of the brake pedals could be prevented because of an insufficient clearance between the rudder bar lugs on a few aircraft. In such conditions, it is possible that the master brake cylinder is not re-filled with the fluid from the reservoir, which can lead to a degradation of brake effectiveness. Mostly during landing, this can lead to difficulties with the directional control of the aircraft on ground and could cause a runway excursion.

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective December 11, 2008.

On December 11, 2008, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

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:

Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4059; 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 September 17, 2008 (73 FR 53764). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

This Airworthiness Directive (AD) is prompted by a potential problem with the freedom of the brake pedals of some PC-6 series aircraft.

The freedom of the brake pedals could be prevented because of an insufficient clearance between the rudder bar lugs on a few aircraft. In such conditions, it is possible that the master brake cylinder is not re-filled with the fluid from the reservoir, which can lead to a degradation of brake effectiveness. Mostly during landing, this can lead to difficulties with the directional control of the aircraft on ground and could cause a runway excursion.

For the reason stated above, the present Airworthiness Directive mandates a check of the brake pedals for full and free movement and, if any damage is found, the modification of the brake pedals to restore their freedom.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM 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.

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 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 AD will affect 50 products of U.S. registry. We also estimate that it will take about 2 work-hours per product to comply with basic requirements of this AD. The average labor rate is \$80 per work-hour.

Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$8,000 or \$160 per product.

In addition, we estimate that any necessary follow-on actions would take about 10 work-hours and require parts costing \$100, for a cost of \$900 per product. We have no way of determining the number of products that may need these actions.

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 this AD:

- (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) 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 Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

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:

2008-23-03 Pilatus Aircraft Ltd:

Amendment 39-15724; Docket No. FAA-2008-0990; Directorate Identifier 2008-CE-060-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective December 11, 2008.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Models PC-6, PC-6-H1, PC-6-H2, PC-6/350, PC-6/350-H1, PC-6/350-H2, PC-6/A, PC-6/A-H1, PC-6/A-H2, PC-6/B-H2, PC-6/B1-H2, PC-6/B2-H2, PC-6/B2-H4, PC-6/C-H2, and PC-6/C1-H2 airplanes, manufacturer serial numbers (MSN) 101 through 950 and MSN 2001 through 2092, certificated in any category.

Note 1: These airplanes may also be identified as Fairchild Republic Company PC-6 airplanes, Fairchild Industries PC-6 airplanes, Fairchild Heli Porter PC-6

airplanes, or Fairchild-Hiller Corporation PC-6 airplanes.

Subject

(d) Air Transport Association of America (ATA) Code 32: Landing Gear.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

“This Airworthiness Directive (AD) is prompted by a potential problem with the freedom of the brake pedals of some PC-6 series aircraft.

“The freedom of the brake pedals could be prevented because of an insufficient clearance between the rudder bar lugs on a few aircraft. In such conditions, it is possible that the master brake cylinder is not re-filled with the fluid from the reservoir, which can lead to a degradation of brake effectiveness. Mostly during landing, this can lead to difficulties with the directional control of the aircraft on ground and could cause a runway excursion.

“For the reason stated above, the present Airworthiness Directive mandates a check of the brake pedals for full and free movement and, if any damage is found, the modification of the brake pedals to restore their freedom.”

Actions and Compliance

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

(1) Inspect the brake pedals for full and free movement within the next 100 hours time-in-service after December 11, 2008 (the effective date of this AD) or within the next 12 months after December 11, 2008 (the effective date of this AD), whichever occurs first, following the accomplishment instructions of Pilatus Aircraft Ltd. Pilatus PC-6 Service Bulletin No. 32-002, Revision 2, dated April 29, 2008.

(2) If as a result the inspection required by paragraph (f)(1) of this AD any stiffness or limited movement of a brake pedal is found, before further flight, perform the corrective actions in accordance with the paragraph 3.C. of the accomplishment instructions of Pilatus Aircraft Ltd. Pilatus PC-6 Service Bulletin No. 32-002, Revision 2, dated April 29, 2008.

(3) As of December 11, 2008 (the effective date of this AD), do not install any pilot or co-pilot rudder pedal assembly Part Number (P/N) 6232.0011.00, P/N 6232.0255.52, P/N 116.35.06.050, P/N 116.35.06.053, or P/N 116.35.06.054 unless it has been inspected and modified as applicable in accordance with paragraphs (f)(1) and (f)(2) of this AD.

FAA AD Differences

Note 2: 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, Standards Office,

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: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4059; fax: (816) 329-4090. 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 (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 European Aviation Safety Agency AD No.: 2008-0171, dated September 9, 2008, for related information.

Material Incorporated by Reference

(i) You must use Pilatus Aircraft Ltd. Pilatus PC-6 Service Bulletin No. 32-002, Revision 2, dated April 29, 2008, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact PILATUS AIRCRAFT LTD., P.O. Box 992, 6371 Stans, Switzerland; phone: +41 41 619 65 80; fax: +41 41 619 65 76; Internet: <http://www.pilatus-aircraft.com>; e-mail: fodermatt@pilatus-aircraft.com.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; or 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 October 28, 2008.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8-26117 Filed 11-5-08; 8:45 am]

BILLING CODE 4910-13-P