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.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

2008–14–01 Bell Helicopter Textron Canada: Amendment 39–15596. Docket No. FAA–2008–0039; Directorate Identifier 2006–SW–13–AD.

Applicability: The following model helicopters, certificated in any category:

Model No.	Serial Nos.
222	47006 through 47089.
222B	47131 through 47156.
222U	47501 through 47574.
230	23001 through 23038.
430	49001 through 49101.

Compliance: Required within 50 hours time-in-service, unless accomplished previously.

To prevent interruption of the fuel supply caused by failure of the fuel switch, which could result in loss of engine power and subsequent loss of control of the helicopter, accomplish the following:

(a) Rewire the No. 1 and No. 2 engines' fuel valve switch, part number 10648BH1–1, and test the fuel valve switches and the ignitor system, in accordance with the Accomplishment Instructions in Bell Helicopter Textron Technical Bulletin (TB) No. 222–03–171, Part 1, applicable to Model 222 helicopters, serial number (S/N) 47006–47038, and Part 2, applicable to Model 222 helicopters, S/N 47039–47089, and Model 222B helicopters, S/N 47131–47156; TB No. 222U–03–96, applicable to Model 222U helicopters; TB No. 230–03–35, applicable to Model 230 helicopters; and TB No. 430–03–33, applicable to Model 430 helicopters. All of the technical bulletins are dated June 11, 2003.

(b) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Contact the Manager, Safety Management Group, ATTN: George Schwab, Aviation Safety Engineer, Rotorcraft Directorate, FAA, Fort Worth, Texas 76193–0110, telephone (817) 222–5114, fax (817) 222–5961, for information about previously approved alternative methods of compliance.

(c) The rewiring and testing shall be done in accordance with the specified portions of Bell Helicopter Textron Technical Bulletin No. 222–03–171, No. 222U–03–96, No. 230–03–35, and No. 430–03–33, all dated June 11, 2003. The Director of the Federal Register approved this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Bell Helicopter Textron Canada, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4, telephone (450) 437–2862 or (800) 363–8023, fax (450) 433–0272. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 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/code_of_federal_regulations/ibr_locations.html.*

(d) This amendment becomes effective on August 14, 2008.

Note: The subject of this AD is addressed in Transport Canada (Canada) AD CF–2006–03, dated February 28, 2006.

Issued in Fort Worth, Texas, on June 12, 2008.

Lance T. Gant,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. E8–14718 Filed 7–9–08; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0258; Directorate Identifier 2007–SW–22–AD; Amendment 39–15601; AD 2008–14–06]

RIN 2120–AA64

Airworthiness Directives; Bell Helicopter Textron Canada Model 206L, L–1, L–3, L–4, and 407 Helicopters

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the specified Bell Helicopter Textron Canada (BHTC) helicopters. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority to identify and correct an unsafe condition on an aviation product. The Aviation Authority of Canada with whom we have a bilateral agreement states in the MCAI: ''Horizontal stabilizers part numbers 206–023–119–167 and 407–023–801–109 may have manufacturing flaws on the inside surface of the upper and/or lower skin at the tailboom attachment inserts. These flaws may result in cracking of the skin and failure of the horizontal stabilizer.''

The manufacturer's service information states that in addition to cracks, the horizontal stabilizer may have deformation or debonding around and between the inserts. We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective on August 14, 2008.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of August 14, 2008.

ADDRESSES: You may examine the AD docket on the Internet at *http://regulations.gov* or in person at the Docket Operations office, U.S. Department of Transportation, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 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 Canada, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4, telephone (450) 437–2862 or (800) 363–8023, fax (450) 433–0272.

Examining the AD Docket: The AD docket contains the Notice of Proposed Rulemaking (NPRM), the economic evaluation, any comments received, and other information. The street address and operating hours for the Docket Operations office (telephone (800) 647–5527) are in the **ADDRESSES** section of this AD. Comments will be available in the AD docket shortly after they are received.

FOR FURTHER INFORMATION CONTACT: Sharon Miles, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations and Guidance Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5122, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION:

Discussion

We issued an NPRM to amend 14 CFR part 39 to include an AD that would apply to the BHTC Model Bell Helicopter Textron Canada Models 206L, L–1, L–3, L–4, and 407 helicopters on February 28, 2008. That NPRM was published in the **Federal Register** on March 7, 2008 (73 FR 12303). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states: ''Horizontal stabilizers part numbers 206–023–119–167 and 407–023–801–109 may have manufacturing flaws on the inside surface of the upper and/or lower skin at the tailboom attachment inserts. These flaws may result in cracking of the skin and failure of the horizontal stabilizer.''

The manufacturer's service information states that in addition to cracks, the horizontal stabilizer may have deformation or debonding around and between the inserts.

You may obtain further information by examining the MCAI and any related service information in the AD docket.

Comments

By publishing the NPRM, we gave the public an opportunity to participate in developing this AD. However, we received no comment on the NPRM or on our determination of the cost to the public. Therefore, based on our review and evaluation of the available data, we have determined that air safety and the public interest require adopting the AD as proposed, except for correcting a typographical error in the preamble. Under the heading, ''Relevant Service Information,'' we have corrected the name of the manufacturer issuing the service bulletins to BHTC rather than Transport Canada. This change will neither increase the economic burden on any operator nor increase the scope of the AD.

Relevant Service Information

BHTC has issued Alert Service Bulletin No. 206L–06–141 and No. 407–06–72, both dated September 12, 2006. The actions described in the MCAI are intended to correct the same unsafe condition as that identified in the service information.

Differences Between This AD and the MCAI AD

We have reviewed the MCAI and related service information and, in general, agree with their substance. However, we have changed the alternate compliance time from May 9, 2007, to within 30 days, and we have not mandated replacing the horizontal stabilizer by a certain date. In making this change, we do not intend to differ substantively from the information provided in the MCAI.

Differences are highlighted in the ''Differences Between the FAA AD and the MCAI'' section in the proposed AD.

Costs of Compliance

We estimate this AD will affect 59 horizontal stabilizers (27–206L and 32–407 models) on about 1156 products of U.S. registry and will take about:

- 2.5 work hours to determine if the affected part is installed on the helicopter,
- 4 work hours to perform the initial and 600-hour recurring inspection, and
- 8 work hours to remove and replace an affected part.

The average labor rate is $80 per work-hour and required parts cost about $20,173 for the Model 206L series and $25,669 for the Model 407 helicopters. Based on these figures, we estimate the cost of the AD on U.S. operators to be $1,663,519, assuming the entire fleet is examined for the affected part; 59 helicopters with the affected parts undergo the initial inspection; 30 helicopters with the affected part undergo one recurring 600-hour inspection; and all 59 affected parts are replaced.

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, 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:

2008–14–06 Bell Helicopter Textron Canada: Amendment 39–15601, Docket No. FAA–2008–0258; Directorate Identifier 2007–SW–22–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective on August 14, 2008.

Other Affected ADs

(b) None.

Applicability

(c) This AD applies to Models 206L, 206L–1, 206L–3, and 206L–4 helicopters with

horizontal stabilizer, part number (P/N) 206–023–119–167, and Model 407 helicopters with horizontal stabilizer, P/N 407–023–801–109, installed, certificated in any category.

Reason

(d) The mandatory continuing airworthiness information (MCAI) states: ''Horizontal stabilizers part numbers 206–023–119–167 and 407–023–801–109 may have manufacturing flaws on the inside surface of the upper and/or lower skin at the tailboom attachment inserts. These flaws may result in cracking of the skin and failure of the horizontal stabilizer.''

The manufacturer's service information states that in addition to cracks, the horizontal stabilizer may have deformation or debonding around and between the inserts. This AD requires actions that are intended to address all these unsafe conditions.

Actions and Compliance

(e) Within the next 100 hours time-in-service (TIS) or 30 days, whichever occurs first, unless done previously.

(1) Determine whether you have an affected serial numbered horizontal stabilizer installed by removing the elevators from the horizontal stabilizer. Access the horizontal stabilizer identification tag containing the horizontal stabilizer serial number as shown in Figure 1 and remove the elevators by following the Accomplishment Instructions, Part I, of Bell Helicopter Textron Canada (BHTC) Alert Service Bulletin (ASB) No. 206L–06–141, dated September 12, 2006, applicable to the Model 206L series helicopter (206L ASB) or BHTC ASB No. 407–06–72, dated September 12, 2006, applicable to the Model 407 helicopters (407 ASB).

(2) If the serial number on the identification tag is a serial number listed in Table 1 of the 206L ASB or 407 ASB, inspect the horizontal stabilizer as follows:

(i) Using a 10× or higher magnifying glass, inspect the horizontal stabilizer for a crack or deformation around the areas of the inserts. Also, using a tap test method, inspect for debonding between the inserts by following the Accomplishment Instructions, Part II, of either the 206L ASB or 407 ASB, as applicable.

(ii) If you find a crack, deformation, or debonding, replace the horizontal stabilizer with an airworthy horizontal stabilizer that does not have a serial number listed in Table 1 of the 206L ASB or 407 ASB. Replace the horizontal stabilizer by following the Accomplishment Instructions, Part III, of either the 206L ASB or the 407 ASB, as applicable.

(iii) If you do not find a crack, deformation, or debonding, thereafter, at intervals not to exceed 600 hours TIS or during each annual inspection, whichever occurs first, repeat the inspection required by paragraph (e)(2)(i) of this AD.

(f) Replacing any horizontal stabilizer containing a serial number listed in Table 1 of 206L ASB or 407 ASB with a horizontal stabilizer that does not contain such a serial number by following the Accomplishment Instructions, Part III, of either the 206L ASB or 407 ASB, as applicable, constitutes terminating actions for the requirements of this AD.

Differences Between This AD and the MCAI AD

(g) The MCAI requires compliance ''within the next 100 hours air time but no later than 9 May 2007.'' This AD requires compliance within the next 100 hours TIS or 30 days, whichever occurs first, unless done previously. Also, the MCAI requires replacing the horizontal stabilizer by September 30, 2008, and we have not mandated a compliance time for replacing the horizontal stabilizer.

Other Information

(h) Alternative Methods of Compliance (AMOCs): The Manager, Safety Management Group, 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 Sharon Miles, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations and Guidance Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5122, fax (817) 222–5961.

Related Information

(i) MCAI Transport Canada AD No. CF–2007–03, dated March 27, 2007, contains related information.

Air Transport Association of America (ATA) Tracking Code

(j) ATA Code 5510: Horizontal Stabilizer Structure.

Material Incorporated by Reference

(k) You must use the specified portions of Bell Helicopter Textron Canada Alert Service Bulletin No. 206L–06–141 or No. 407–06–72, both dated September 12, 2006, 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 Bell Helicopter Textron Canada, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4, telephone (450) 437–2862 or (800) 363–8023, fax (450) 433–0272.

(3) You may review copies at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Fort Worth, Texas 76193; 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 Fort Worth, Texas on June 19, 2008.

Judy I. Carl,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. E8–14719 Filed 7–9–08; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0256; Directorate Identifier 2007–SW–01–AD; Amendment 39–15597; AD 2008–14–02]

RIN 2120–AA64

Airworthiness Directives; Agusta S.p.A. Model AB 139 and AW 139 Helicopters

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for Agusta S.p.A. Model AB 139 and AW 139 helicopters. This AD results from mandatory continuing airworthiness information (MCAI) issued by the European Aviation Safety Agency (EASA), the Technical Agent for Italy, with which we have a bilateral agreement, which indicates that the Agusta AB 139's and AW 139's Fuselage Frame 5700 middle section is prone to fatigue damage. The actions are intended to detect cracks in the fuselage frame structure and to prevent structural failure in this area.

DATES: This AD becomes effective on August 14, 2008.

The incorporation by reference of certain publications is approved by the Director of the Federal Register as of August 14, 2008.

ADDRESSES: You may examine the AD docket on the Internet at *http://regulations.gov* or in person at the Docket Operations office, U.S. Department of Transportation, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 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 Agusta, 21017 Cascina Costa di Samarate (VA) Italy, Via Giovanni Agusta 520, telephone 39 (0331) 229111, fax 39 (0331) 229605–222595.

Examining the AD Docket: The AD docket contains the NPRM, the economic evaluation, any comments received, and other information. The street address and operating hours for the Docket Operations office (telephone (800) 647–5227) are in the **ADDRESSES** section of this AD. Comments will be available in the AD docket shortly after they are received.

FOR FURTHER INFORMATION CONTACT: Sharon Miles, Aviation Safety Engineer,