

[Federal Register: June 14, 2005 (Volume 70, Number 113)]
[Rules and Regulations]
[Page 34334-34336]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr14jn05-9]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2005-21443; Directorate Identifier 2005-NE-08-AD; Amendment 39-14124; AD 2005-12-08]

RIN 2120-AA64

Airworthiness Directives; Turbomeca S.A. Arrius 2 B1, 2 B1A, 2 B1A-1, and 2 B2 Turboshaft Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for Turbomeca S.A. Arrius 2 B1, 2 B1A, 2 B1A-1, and 2 B2 turboshaft engines. This AD requires replacing the software in the Engine Electronic Control Unit (EECU). This AD results from a report of simultaneous loss of automatic control of both engines of a Eurocopter Deutschland EC 135 helicopter, during flight. We are issuing this AD to prevent simultaneous loss of automatic control of both engines and subsequent loss of control of the helicopter.

DATES: Effective June 29, 2005. The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of June 29, 2005.

We must receive any comments on this AD by August 15, 2005.

ADDRESSES: Use one of the following addresses to comment on this AD.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.
 - Government-wide rulemaking web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
 - Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.
 - Fax: (202) 493-2251.
 - Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- Contact Turbomeca S.A., 40220 Tarnos, France; telephone 33 05 59 74 40 00, fax 33 05 59 74 45 15, for the service information identified in this AD.

FOR FURTHER INFORMATION CONTACT: Christopher Spinney, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7175; fax (781) 238-7199.

SUPPLEMENTARY INFORMATION: The Direction Generale de L'Aviation Civile (DGAC), which is the airworthiness authority for France, notified us that an unsafe condition may exist on Turbomeca S.A. Arrius 2 B1, 2 B1A, 2 B1A-1, and 2 B2 turboshaft engines. The DGAC advises that a case of simultaneous loss of automatic control of the two Arrius 2 B1 engines occurred during a flight, on a Eurocopter Deutschland EC 135 helicopter. Simultaneous transition of both engines from automatic control to manual control could lead to subsequent loss of control of the helicopter. The engine control system's intolerance to the loss of steps on the fuel metering valve actuator causes the loss of automatic control. Loss of steps can lead to a FADEC FAIL indication of the full authority digital electronic control (FADEC) and cause the fuel flow metering valve to freeze up and transition to manual fuel flow control.

Relevant Service Information

We have reviewed and approved the technical contents of Turbomeca Mandatory Service Bulletin (MSB) No. 319 73 2080, Update No. 1, MSB No. 319 73 2081, Update No. 1, MSB No. 319 73 2082, Update No. 1, and MSB No. 319 73 2090, all dated February 13, 2004. These MSBs describe procedures for upgrading the engine control system software. This upgrade is applied by either replacing the EECU or by uploading the software. This upgrade improves the engine control system's ability to detect loss of pitch tolerances, and ability to tolerate the loss of steps on the fuel metering valve actuator. The DGAC classified these MSBs as mandatory and issued airworthiness directive F-2004-017 R1, dated March 3, 2004, in order to ensure the airworthiness of these Turbomeca turboshaft engines in France.

Bilateral Airworthiness Agreement

These engine models are manufactured in France and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Under this bilateral airworthiness agreement, the DGAC kept the FAA informed of the situation described above. We have examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

FAA's Determination and Requirements of This AD

The unsafe condition described previously is likely to exist or develop on other Turbomeca S.A. Arrius 2 B1, 2 B1A, 2 B1A-1, and 2 B2 turboshaft engines of the same type design. We are issuing this AD to prevent simultaneous loss of automatic control of both engines and subsequent loss of control of the helicopter. This AD requires within 90 days after the effective date of the AD, simultaneously, on both engines of the helicopter, performing a onetime upgrade of the software version, by either replacing the EECU or by uploading software. You must use the service information described previously to perform the actions required by this AD.

FAA's Determination of the Effective Date

Since an unsafe condition exists that requires the immediate adoption of this AD, we have found that notice and opportunity for public comment before issuing this AD are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to send us any written relevant data, views, or arguments regarding this AD. Send your comments to an address listed under ADDRESSES. Include "AD Docket No. FAA-2005-21443; Directorate Identifier 2005-NE-08-AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify it.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD. Using the search function of the DMS web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477-78) or you may visit <http://dms.dot.gov>.

Examining the AD Docket

You may examine the docket that contains the AD, any comments received, and any final disposition in person at the DMS Docket Offices between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647-5227) is located on the plaza level of the Department of Transportation Nassif Building at the street address stated in ADDRESSES. Comments will be available in the AD docket shortly after the DMS receives them.

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 have 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 the 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 summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under ADDRESSES.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

Under 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. The FAA amends § 39.13 by adding the following new airworthiness directive:

AIRWORTHINESS DIRECTIVE



Aircraft Certification Service
Washington, DC

U.S. Department
of Transportation
**Federal Aviation
Administration**

We post ADs on the internet at "www.faa.gov"

The following Airworthiness Directive issued by the Federal Aviation Administration in accordance with the provisions of Title 14 of the Code of Federal Regulations (14 CFR) part 39, applies to an aircraft model of which our records indicate you may be the registered owner. Airworthiness Directives affect aviation safety and are regulations which require immediate attention. You are cautioned that no person may operate an aircraft to which an Airworthiness Directive applies, except in accordance with the requirements of the Airworthiness Directive (reference 14 CFR part 39, subpart 39.3).

2005-12-08 Turbomeca S.A.: Amendment 39-14124. Docket No. FAA-2005-21443; Directorate Identifier 2005-NE-08-AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective June 29, 2005.

Affected ADs

- (b) None.

Applicability

(c) This AD applies to Turbomeca S.A. Arrius 2 B1, 2 B1A, 2 B1A-1, and 2 B2 turboshaft engines. These engines are installed on, but not limited to, Eurocopter Deutschland GmbH EC 135 T1 and EC 135 T2 helicopters.

Unsafe Condition

(d) This AD results from a report of simultaneous loss of automatic control of both engines of a Eurocopter Deutschland EC 135 helicopter during flight. We are issuing this AD to prevent simultaneous loss of automatic control of both engines and subsequent loss of control of the helicopter.

Compliance

(e) You are responsible for having the actions required by this AD performed within 90 days after the effective date of this AD, unless the actions have already been done.

Onetime Upgrade of Engine Electronic Control Unit (EECU) Software

(f) Simultaneously, on both engines of the helicopter, perform a onetime upgrade of EECU software as follows:

- (1) Either replace the EECU; or
- (2) Upload the EECU software.
- (3) Use paragraph 2 of the applicable Turbomeca Mandatory Service Bulletin (MSB) listed in Table 1 of this AD, to do the onetime upgrade.

TABLE 1.—APPLICABLE MSBS

For—	Use—
Arrius 2 B1 engines with EECUs that have incorporated Modification TU 19C.	MSB No. 319 73 2080, Update No. 1, dated February 13, 2004.
Arrius 2 B1 engines with EECUs that have incorporated Modification TU 67C or TU 23C.	MSB No. 319 73 2081, Update No. 1, dated February 13, 2004.
Arrius 2 B1A and 2 B1A-1 engines.	MSB No. 319 73 2082, Update No. 1, dated February 13, 2004.
Arrius 2 B2 engines	MSB No. 319 73 2090, dated February 13, 2004.

Alternative Methods of Compliance

(g) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

Material Incorporated by Reference

(h) You must use the Turbomeca Mandatory Service Bulletins specified in Table 2 of this AD to perform the software upgrade required by this AD. The Director of the Federal Register approved the incorporation by reference of the documents listed in Table 2 of this AD in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Turbomeca S.A., 40220 Tarnos, France; telephone 33 05 59 74 40 00, fax 33 05 59 74 45 15, for a copy of this service information. You may review copies at the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001, on the internet at <http://dms.dot.gov>; 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.

TABLE 2.—INCORPORATION BY REFERENCE

Mandatory service bulletin No.	Page	Revision	Date
319 73 2080 Total Pages—6	ALL	1	February 13, 2004.
319 73 2081 Total Pages—6	ALL	1	February 13, 2004.
319 73 2082 Total Pages—6	ALL	1	February 13, 2004.
319 73 2090 Total Pages—7	ALL	Original	February 13, 2004.

Related Information

(i) DGAC airworthiness directive F-2004-017 R1, dated March 3, 2004, also addresses the subject of this AD.

Issued in Burlington, Massachusetts, on June 6, 2005.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 05-11611 Filed 6-13-05; 8:45 am]

BILLING CODE 4910-13-U