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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2013-0631; Directorate Identifier 2012-NM-142-AD; Amendment 39-17640; AD 2013-22-08]**

**RIN 2120-AA64**

**Airworthiness Directives; BAE Systems (Operations) Limited Airplanes**

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

**ACTION:** Final rule.

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**SUMMARY:** We are adopting a new airworthiness directive (AD) for all BAE Systems (Operations) Limited Model BAe 146 and Avro 146-RJ series airplanes. This AD was prompted by a report of a cracked pick-up bracket of the forward outboard pylon of the number 1 engine due to stress corrosion. This AD requires repetitive inspections and, depending on findings, repair of the pylon pick-up brackets. We are issuing this AD to detect and correct cracking of the pick-up bracket, which could result in the engine pylon separating from the wing, with consequent damage to the airplane and reduced controllability.

**DATES:** This AD becomes effective December 5, 2013.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of December 5, 2013.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov/#!docketDetail;D=FAA-2013-0631>; 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 service information identified in this AD, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; email [RApublications@baesystems.com](mailto:RApublications@baesystems.com); Internet <http://www.baesystems.com/Businesses/RegionalAircraft/index.htm>. You may view this referenced 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.

**FOR FURTHER INFORMATION CONTACT:** Todd Thompson, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone: (425) 227-1175; fax (425) 227-1149.

## **SUPPLEMENTARY INFORMATION:**

### **Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to the specified products. The NPRM published in the Federal Register on July 31, 2013 (78 FR 46301). The 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 2012-0136, dated July 20, 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:

While carrying out a scheduled environmental inspection, an operator found a cracked number 1 engine forward outboard pylon pick-up bracket. Cracks were present on the upper flange of the bracket running between all 3 attachment bolt holes. Subsequent investigation revealed that the cause of cracking was stress corrosion. Cracking of the pylon pick-up brackets at the top and bottom flanges could reduce the capability of the brackets to support the ultimate sideload, particularly if cracking is present on more than one flange.

This condition, if not detected and corrected, could result in the engine pylon separation from the wing, likely resulting in damage to [and controllability of] the aeroplane and possible injury to persons on the ground.

\* \* \* \* \*

For reasons described above, this [EASA] AD requires the inspection and, depending on findings, repair of the affected pylon pick-up brackets.

The inspection includes a special detailed inspection with a videoscope. Corrective actions can include replacing any affected pylon pick-up brackets, and doing any follow-on skin repairs. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2013-0631-0002>.

### **Comments**

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (78 FR 46301, July 31, 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 this 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 46301, July 31, 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 46301, July 31, 2013).

### **Costs of Compliance**

Based on the service information, we estimate that this AD affects 1 product of U.S. registry. We also estimate that it takes 2 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Based on these figures, we estimate the cost of this AD on U.S. operators to be \$170, or \$170 per product.

We have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in 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 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 MCAI in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2013-0631-0002>; 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 MCAI, 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:



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**2013-22-08 BAE Systems (Operations) Limited:** Amendment 39-17640. Docket No. FAA-2013-0631; Directorate Identifier 2012-NM-142-AD.

**(a) Effective Date**

This airworthiness directive (AD) becomes effective December 5, 2013.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to BAE Systems (Operations) Limited Model BAe 146-100A, -200A, and -300A airplanes; and Model Avro 146-RJ70A, 146-RJ85A, and 146-RJ100A airplanes; certificated in any category, all serial numbers.

**(d) Subject**

Air Transport Association (ATA) of America Code 57, Wings.

**(e) Reason**

This AD was prompted by a report of a cracked pick-up bracket of the forward outboard pylon of the number 1 engine due to stress corrosion. We are issuing this AD to detect and correct cracking of the pick-up bracket, which could result in the engine pylon separating from the wing, with consequent damage to the airplane and reduced controllability.

**(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) Repetitive Inspections**

(1) Within the initial compliance time specified in paragraphs (g)(1)(i) and (g)(1)(ii) of this AD, as applicable, and thereafter at intervals not to exceed 24 months: Do a special detailed inspection with a videoscope of the flanges of the Rib 10 forward pylon pick-up bracket of each engine pylon for cracking, corrosion, and other defects, in accordance with the Accomplishment Instructions of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.57-073, Revision 1, dated January 27, 2012; or Revision 2, dated March 8, 2012.

(i) Within 6 months after the effective date of this AD, except as provided by paragraph (g)(1)(ii) of this AD.

(ii) For airplanes on which a maintenance records check positively determines that both forward pylon pick-up brackets have been replaced since first flight of the airplane: Within 20 months after the effective date of this AD.

(2) If, during any inspection required by paragraph (g)(1) of this AD, any cracking, corrosion or other defect of any Rib 10 forward pylon pick-up bracket is found: Before further flight, repair or replace the bracket as specified in paragraph (g)(2)(i) or (g)(2)(ii) of this AD.

(i) Repair a bracket in accordance with the Accomplishment Instructions of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.57-073, Revision 1, dated January 27, 2012; or Revision 2, dated March 8, 2012.

(ii) Replace a bracket using a method approved by either the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA) (or its delegated agent).

(3) Repairing or replacing a Rib 10 forward pylon pick-up bracket, as required by paragraph (g)(2) of this AD, does not terminate the repetitive inspections required by paragraph (g)(1) of this AD.

#### **(h) Credit for Previous Actions**

This paragraph provides credit for actions required by paragraph (g) of this AD, if the actions were performed before the effective date of this AD using BAE Systems (Operations) Limited Inspection Service Bulletin ISB.57-073, dated September 6, 2010, which is not incorporated by reference in this AD.

#### **(i) 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: Todd Thompson, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone (425) 227-1175; 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.

#### **(j) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency Airworthiness Directive 2012-0136, dated July 20, 2012, for related information. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2013-0631-0002>.

(2) Service information identified in this AD that is not incorporated by reference may be obtained at the addresses specified in paragraphs (k)(3) and (k)(4) of this AD.

#### **(k) 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 this AD specifies otherwise.

(i) BAE Systems (Operations) Limited Inspection Service Bulletin ISB.57-073, Revision 1, dated January 27, 2012.

(ii) BAE Systems (Operations) Limited Inspection Service Bulletin ISB.57-073, Revision 2, dated March 8, 2012.

(3) For service information identified in this AD, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; email [RAPublications@baesystems.com](mailto:RAPublications@baesystems.com); Internet <http://www.baesystems.com/Businesses/RegionalAircraft/index.htm>.

(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 October 17, 2013.

Jeffrey E. Duven,  
Acting Manager, Transport Airplane Directorate,  
Aircraft Certification Service.