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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2008-0179; Directorate Identifier 2007-NM-367-AD; Amendment 39-15572; AD 2008-13-09]

RIN 2120-AA64

Airworthiness Directives; Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-8-201, DHC-8-202, DHC-8-301, DHC-8-311, and DHC-8-315 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) originated 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:

Bombardier Aerospace has completed a system safety review of the aircraft fuel system against fuel tank safety standards * * *.

[A]ssessment showed that supplemental maintenance tasks [inspections of fuel tank bonding jumpers, wiring harnesses, and drain valve components, among other items and actions; and applicable corrective actions] are required to prevent potential ignition sources within the fuel system, which could result in a fuel tank explosion. * * *

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

DATES: This AD becomes effective September 17, 2008.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of September 17, 2008.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> 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 FURTHER INFORMATION CONTACT: Rocco Viselli, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7331; fax (516) 794-5531.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That supplemental NPRM was published in the Federal Register on May 1, 2008 (73 FR 23995). That supplemental NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Bombardier Aerospace has completed a system safety review of the aircraft fuel system against fuel tank safety standards introduced in Chapter 525 of the Airworthiness Manual through Notice of Proposed Amendment (NPA) 2002-043. The identified non-compliances were then assessed using Transport Canada Policy Letter No. 525-001, to determine if mandatory corrective action is required.

The assessment showed that supplemental maintenance tasks [inspections of fuel tank bonding jumpers, wiring harnesses, and drain valve components, among other items and actions; and applicable corrective actions] are required to prevent potential ignition sources within the fuel system, which could result in a fuel tank explosion. Revisions have been made to Part 2 "Airworthiness Limitations List" of the DHC-8 Maintenance Program Manuals to introduce the required maintenance tasks.

The corrective action is revising the Airworthiness Limitations Section of the Instructions for Continued Airworthiness to incorporate new limitations for fuel tank systems. You may obtain further information by examining the MCAI in the AD docket.

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.

Clarification of Identity of Model DHC-8-201 Airplanes

We have clarified the identity of certain airplanes as listed in the supplemental NPRM by correctly identifying them throughout this AD as Model DHC-8-201 airplanes.

Removal of Reference to "a Later Revision" of Certain Maintenance Program Manuals (MPMs)

We removed the reference to "a later revision of Part 2 'Airworthiness Limitations List' of the applicable de Havilland Dash 8 Series MPM" from paragraph (f)(4) of this AD and removed Table 3 of the NPRM, which listed the MPMs (and renumbered the subsequent table accordingly). We removed the reference to the use of "later revisions" of the applicable service information from this AD to be consistent with FAA policy. This change will not increase the economic burden on any operator, nor will it increase the scope of the AD, since operators may request approval to use a later revision of the referenced service information as an alternative method of compliance, under the provisions of paragraph (g) of this AD.

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD with the changes described previously. We determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

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 our FAA policies. Any such differences are highlighted in a NOTE within the AD.

Costs of Compliance

We estimate that this AD will affect about 122 products of U.S. registry. We also estimate that it will take about 1 work-hour per product to comply with the 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 \$9,760, or \$80 per product.

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 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 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 Operations office 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 Operations 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:



2008-13-09 Bombardier, Inc. (Formerly de Havilland, Inc.): Amendment 39-15572. Docket No. FAA-2008-0179; Directorate Identifier 2007-NM-367-AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective September 17, 2008.

Affected ADs

- (b) None.

Applicability

(c) This AD applies to all Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-8-201, DHC-8-202, DHC-8-301, DHC-8-311, and DHC-8-315 airplanes, certificated in any category, all serial numbers.

Note 1: This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (g) of this AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Subject

- (d) Air Transport Association (ATA) of America Code 28: Fuel.

Reason

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

Bombardier Aerospace has completed a system safety review of the aircraft fuel system against fuel tank safety standards introduced in Chapter 525 of the Airworthiness Manual through Notice of Proposed Amendment (NPA) 2002-043. The identified non-compliances were then assessed using Transport Canada Policy Letter No. 525-001, to determine if mandatory corrective action is required.

The assessment showed that supplemental maintenance tasks [inspections of fuel tank bonding jumpers, wiring harnesses, and drain valve components, among other items and actions; and applicable corrective actions] are required to prevent potential ignition sources within the fuel system, which could result in a fuel tank explosion. Revisions have been made to Part 2 "Airworthiness Limitations List" of the DHC-8 Maintenance Program Manuals to introduce the required maintenance tasks.

The corrective action is revising the Airworthiness Limitations Section (ALS) of the Instructions for Continued Airworthiness to incorporate new limitations for fuel tank systems.

Actions and Compliance

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

(1) Within 60 days after the effective date of this AD, or before December 16, 2008, whichever occurs first, revise the ALS of the Instructions for Continued Airworthiness to incorporate the fuel system limitations tasks identified in the de Havilland temporary revisions (TRs) to Part 2, "Airworthiness Limitations List," of the Dash 8 Series Maintenance Program Manuals ("the MPMs"). The TRs are listed in Table 1 of this AD. For the tasks identified in the TRs, the initial compliance times start at the later of the applicable "Threshold" and "Grace Period" times specified in Table 2 of this AD, and the repetitive limitation tasks must be accomplished thereafter at the interval specified in the TRs, except as provided by paragraphs (f)(2), (f)(3), (f)(4), and (g)(1) of this AD.

Table 1 – Temporary Revisions

| Model | de Havilland TR | MPM |
|-----------------------------------------------|----------------------------------|-----------------------------------------------------------------------------------------------------|
| DHC-8-102, DHC-8-103, and DHC-8-106 airplanes | AWL-110, dated August 31, 2007 | Dash 8 Series 100 MPM, Product Support Manual (PSM) 1-8-7, Part 2, "Airworthiness Limitations List" |
| DHC-8-201, and DHC-8-202 airplanes | AWL 2-43, dated August 31, 2007 | Dash 8 Series 200 MPM, PSM 1-82-7, Part 2, "Airworthiness Limitations List" |
| DHC-8-301, DHC-8-311, and DHC-8-315 airplanes | AWL 3-109, dated August 31, 2007 | Dash 8 Series 300 MPM, PSM 1-83-7, Part 2, "Airworthiness Limitations List" |

Table 2 – Initial Inspections

| Description | Compliance Time (whichever occurs later) | |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| | Threshold | Grace Period |
| Tasks with 6,000 flight hours/36 month intervals | Before the accumulation of 6,000 total flight hours, or within 36 months since new, whichever occurs first | Within 2,000 flight hours or 12 months after the effective date of this AD, whichever occurs first |
| Tasks with 18,000 flight hours/108 month intervals | Before the accumulation of 18,000 total flight hours, or within 108 months since new, whichever occurs first | Within 6,000 flight hours or 36 months after the effective date of this AD, whichever occurs first |
| Tasks with 72,000 flight hours/36 year intervals | Before the accumulation of 72,000 total flight hours, or within 36 years since new, whichever occurs first | Within 600 flight hours or 3 months after the effective date of this AD, whichever occurs first |

Note 2: The actions required by paragraph (f)(1) of this AD may be done by inserting a copy of the applicable TR listed in Table 1 of this AD into the ALS of the applicable MPM listed in Table 1 of this AD. When the applicable TR has been included in general revisions of the applicable MPM,

the general revisions may be inserted in the MPM, provided the relevant information in the general revision is identical to that in the applicable TR.

(2) For those tasks with 6,000 flight hours/36 month limitation task intervals: For airplanes that have accumulated 4,000 total flight hours or more, or 24 months or more since new, as of the effective date of this AD, do the initial limitation tasks within 2,000 flight hours or 12 months after the effective date of this AD, whichever occurs first. Thereafter, repeat the limitation tasks at intervals not to exceed 6,000 flight hours or 36 months, whichever occurs first.

(3) For those tasks with 18,000 flight hours/108 month limitation task intervals: For airplanes that have accumulated 12,000 total flight hours or more, or 72 months or more since new, as of the effective date of this AD, do the initial limitation tasks within 6,000 flight hours or 36 months after the effective date of this AD, whichever occurs first. Thereafter, repeat the limitation tasks at intervals not to exceed 18,000 flight hours or 108 months, whichever occurs first.

(4) After accomplishing the actions specified in paragraphs (f)(1), (f)(2), and (f)(3) of this AD, no alternative inspections/limitation tasks or inspection/limitation task intervals may be used unless the inspections/limitation tasks or inspection/limitation task intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (g)(1) of this AD.

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, New York ACO, 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: Rocco Viselli, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7331; fax (516) 794-5531. 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, 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 Canadian Airworthiness Directive CF-2007-32, dated December 17, 2007, and the de Havilland temporary revisions listed in Table 1 of this AD.

Material Incorporated by Reference

(i) You must use the applicable service information specified in Table 3 of this AD 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 Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada.

(3) You may review copies at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; 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>.

Table 3 – Material Incorporated by Reference

| De Havilland Temporary Revision - | Dated - | To the - |
|--------------------------------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------|
| AWL-110 | August 31, 2007 | Dash 8 Series 100 Maintenance Program Manual, Product Support Manual 1-8-7, Part 2, “Airworthiness Limitations List” |
| AWL 2-43 | August 31, 2007 | Dash 8 Series 200 Maintenance Program Manual, Product Support Manual 1-82-7, Part 2, “Airworthiness Limitations List” |
| AWL 3-109 | August 31, 2007 | Dash 8 Series 300 Maintenance Program Manual, Product Support Manual 1-83-7, Part 2, “Airworthiness Limitations List” |

Issued in Renton, Washington, on July 31, 2008.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E8-18430 Filed 8-12-08; 8:45 am]