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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2013-0350; Directorate Identifier 2012-SW-050-AD; Amendment 39-17583; AD 2013-19-01]**

**RIN 2120-AA64**

#### **Airworthiness Directives; AgustaWestland S.p.A. Helicopters**

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

**ACTION:** Final rule.

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**SUMMARY:** We are adopting a new airworthiness directive (AD) for AgustaWestland S.p.A. (AgustaWestland) Model A119 and AW119 MKII helicopters to require inspecting the pilot and co-pilot doors to ensure that the windows are properly bonded within the doors. If the windows are not properly bonded, the AD requires applying bonding to the windows, the seals, and the window frames of the pilot and co-pilot doors. This AD was prompted by the loss of a pilot-door window during a test flight. The actions of this AD are intended to ensure the windows do not detach from the doors, potentially injuring persons on the ground and damaging the helicopter's tailboom and the tail rotor blades.

**DATES:** This AD is effective October 25, 2013.

The Director of the Federal Register approved the incorporation by reference of a certain document listed in this AD as of October 25, 2013.

**ADDRESSES:** For service information identified in this AD, contact AgustaWestland, Customer Support & Services, Via Per Tornavento 15, 21019 Somma Lombardo (VA) Italy, ATTN: Giovanni Cecchelli; telephone 39-0331-711133; fax 39 0331 711180; or at <http://www.agustawestland.com/technical-bullettins>. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

#### **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 this AD, the foreign authority's AD, any incorporated-by-reference

service information, the economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (phone: 800-647-5527) is U.S. Department of Transportation, Docket Operations Office, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Sharon Miles, Aviation Safety Engineer, Regulations and Policy Group, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222-5110; email sharon.y.miles@faa.gov.

## **SUPPLEMENTARY INFORMATION:**

### **Discussion**

On April 25, 2013, at 78 FR 24367, the Federal Register published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 to include an AD that would apply to AgustaWestland Model A119 and AW119 MKII helicopters, serial numbers up to and including 14781. The NPRM proposed to require inspecting the pilot and co-pilot doors to ensure that the windows are properly bonded within the doors. If the windows are not properly bonded, the NPRM proposed applying bonding to the windows, the seals, and the window frames of the pilot and co-pilot doors. The proposed requirements were intended to ensure the windows do not detach from the doors, potentially injuring persons on the ground and damaging the helicopter's tailboom and the tail rotor blades.

The NPRM was prompted by EASA AD No. 2012-0058, dated April 3, 2012, issued by the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union. EASA issued AD No. 2012-0058 to correct an unsafe condition for AgustaWestland Model A119 and AW119 MKII helicopters. EASA advises that the pilot-door window detached during a test flight of an AW119 MKII helicopter. The occupant was not injured, and the helicopter was not damaged.

According to EASA, an investigation revealed that a "lack of the bonding of the seal both to the window and to the door structure" caused the window's detachment. To address this unsafe condition, AgustaWestland issued Bollettino Tecnico (BT) 119-47, dated March 29, 2012, and EASA issued AD 2012-0058 to require an inspection of the bonding in the pilot and co-pilot door windows and, if there is no bonding, applying bonding.

If this condition is not corrected, it could lead to detachment of the windows from the pilot- and co-pilot doors, potentially injuring persons on the ground and damaging the helicopter, EASA advises.

### **Comments**

We gave the public the opportunity to participate in developing this AD, but we received no comments on the NPRM (78 FR 24367, April 25, 2013).

### **FAA's Determination**

These helicopters have been approved by the aviation authority of Italy and are approved for operation in the United States. Pursuant to our bilateral agreement with Italy, EASA, its technical representative, has notified us of the unsafe condition described in the EASA AD. We are issuing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other helicopters of these same type designs and that air safety and the public interest require adopting the AD requirements as proposed.

## **Related Service Information**

We reviewed BT 119-47 for all AgustaWestland A119 and AW119 MKII helicopters, which contains procedures to ensure that the pilot- and co-pilot door windows are correctly bonded.

## **Costs of Compliance**

We estimate that this AD affects 65 helicopters of U.S. Registry and that labor costs average \$85 an hour. Based on these estimates, we expect the following costs:

- Inspecting for bonding between the seals and the windows in the internal and external sides of the junction areas requires a 0.5 work-hour for a labor cost of about \$43. No parts are needed, so the cost for the U.S. fleet totals \$2,795.
- Adding the bonding material if needed requires about 1.5 work-hours for a labor cost of about \$128. The cost of materials is negligible.

## **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 helicopters identified in this rulemaking action.

## **Regulatory Findings**

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 DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
- (3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction; 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 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 airworthiness directive (AD):



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**2013-19-01 AgustaWestland S.p.A.:** Amendment 39-17583; Docket No. FAA-2013-0350; Directorate Identifier 2012-SW-050-AD.

**(a) Applicability**

This AD applies to AgustaWestland S.p.A. (AgustaWestland) Model A119 and AW119 MKII helicopters, serial numbers up to and including 14781, certificated in any category.

**(b) Unsafe Condition**

This AD defines the unsafe condition as a window detaching from the pilot or co-pilot doors, which could result in damage to the helicopter and injury to persons on the ground.

**(c) Effective Date**

This AD becomes effective October 25, 2013.

**(d) Compliance**

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

**(e) Required Actions**

Within the next 50 hours time-in-service (TIS) or within the next five months, whichever comes first:

(1) Visually inspect the pilot and co-pilot doors by referencing Figure 1 of AugustWestland Bollettino Tecnico 119-47, dated March 29, 2012 (BT), to determine whether there is bonding between the seal (3) and the window (4) in the internal and external side of the seal's junction area.

(2) If there is no bonding, before further flight, apply bonding to the windows, seals, and window frames in accordance with the Compliance Instructions, paragraphs 5 through 20, of the BT.

**(f) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Safety Management Group, FAA, may approve AMOCs for this AD. Send your proposal to: Sharon Miles, Aviation Safety Engineer, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222-5110; email [sharon.y.miles@faa.gov](mailto:sharon.y.miles@faa.gov).

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office, before operating any aircraft complying with this AD through an AMOC.

**(g) Additional Information**

The subject of this AD is addressed in European Aviation Safety Agency (EASA) AD No. 2012-0058, dated April 3, 2012. You may view the EASA AD on the Internet at <http://www.regulations.gov> in Docket No. FAA-2013-0350.

**(h) Subject**

Joint Aircraft Service Component (JASC) Code: 5610, Flight Compartment Windows.

**(i) 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 the AD specifies otherwise.

(i) AgustaWestland Bollettino Tecnico 119-47, dated March 29, 2012.

(ii) Reserved.

(3) For AgustaWestland service information identified in this AD, contact AgustaWestland, Customer Support & Services, Via Per Tornavento 15, 21019 Somma Lombardo (VA) Italy, ATTN: Giovanni Cecchelli; telephone 39- 0331-711133; fax 39 0331 711180; or at <http://www.agustawestland.com/technical-bulletins>.

(4) You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. For information on the availability of this material at the FAA, call (817) 222-5110.

(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 Fort Worth, Texas, on September 9, 2013.

Kim Smith,  
Directorate Manager, Rotorcraft Directorate,  
Aircraft Certification Service.