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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

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

**[Docket No. FAA-2015-0081; Directorate Identifier 2014-NM-170-AD; Amendment 39-18371; AD 2016-01-12]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Bombardier, Inc. 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 certain Bombardier, Inc. Model BD-700-1A10 and BD-700-1A11 airplanes. This AD was prompted by reports of fluid entry and accumulation in the aft equipment bay. This AD requires modifying the aft equipment bay. We are issuing this AD to prevent excessive quantities of flammable fluid accumulation in the aft equipment bay. Flammable fluid entry and accumulation in the aft equipment bay, in excessive quantities, could exceed safe levels maintained by the drainage and ventilation system.

**DATES:** This AD becomes effective February 25, 2016.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of February 25, 2016.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov/#!docketDetail;D=FAA-2015-0081>; or in person at the Docket Management Facility, 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 final rule, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. 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. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-0081.

**FOR FURTHER INFORMATION CONTACT:** Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE-171, FAA, New York Aircraft Certification Office (ACO), 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7318; fax 516-794-5531.

## **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 certain Bombardier, Inc. Model BD-700-1A10 and BD-700-1A11 airplanes. The NPRM published in the Federal Register on January 26, 2015 (80 FR 3924). The NPRM was prompted by reports of fluid entry and accumulation in the aft equipment bay. The NPRM proposed to require modifying the aft equipment bay. We are issuing this AD to prevent excessive quantities of flammable fluid accumulation in the aft equipment bay. Flammable fluid entry and accumulation in the aft equipment bay, in excessive quantities, could exceed safe levels maintained by the drainage and ventilation system.

Transport Canada Civil Aviation, which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF-2014-25, dated August 7, 2014 (referred to after this as the Mandatory Continuing Airworthiness Information, or "the MCAI"), to correct an unsafe condition for certain Bombardier, Inc. Model BD-700-1A10 and BD-700-1A11 airplanes. The MCAI states:

There have been two reports of fluid entry and accumulation in the aft equipment bay. The leaked fluid in the first incident was fuel and the fluid in the second incident was test dye. Further investigation revealed that leaked fluid from the aft fuel tank drain entered the bay through the slot in the door latch mechanism.

Flammable fluid entry and accumulation in the aft equipment bay, in excessive quantities, could exceed safe levels maintained by the drainage and ventilation system.

Bombardier Inc. has issued several Service Bulletins (SB) to modify the Aft Equipment Bay by installing a cover to the door latch mechanism in order to reduce the risk of fuel entry into it. This [Canadian] AD mandates the incorporation of the applicable Bombardier Inc. SBs to rectify this problem.

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2015-0081-0002>.

### **Comments**

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (80 FR 3924, January 26, 2015) or on the determination of the cost to the public.

### **Conclusion**

We reviewed the relevant 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 (80 FR 3924, January 26, 2015) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (80 FR 3924, January 26, 2015).

## **Related Service Information Under 1 CFR Part 51**

Bombardier has issued the following service information:

- Bombardier Service Bulletin 700-1A11-52-019, dated March 29, 2012.
- Bombardier Service Bulletin 700-52-042, dated March 29, 2012.
- Bombardier Service Bulletin 700-52-5007, dated March 29, 2012.
- Bombardier Service Bulletin 700-52-6007, dated March 29, 2012.

The service information describes procedures for the modification of the aft equipment compartment door. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

## **Costs of Compliance**

We estimate that this AD affects 60 airplanes of U.S. registry.

We also estimate that it will take about 8 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$720 per product. Based on these figures, we estimate the cost of this AD on U.S. operators to be \$84,000, or \$1,400 per product.

According to the manufacturer, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our cost estimate.

## **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.

## **Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov/#!docketDetail;D=FAA-2015-0081>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, 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 airworthiness directive (AD):



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**2016-01-12 Bombardier, Inc. Airplanes:** Amendment 39-18371. Docket No. FAA-2015-0081; Directorate Identifier 2014-NM-170-AD.

**(a) Effective Date**

This AD becomes effective February 25, 2016.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Bombardier, Inc. Model BD-700-1A10 and BD-700-1A11 airplanes, certificated in any category, serial numbers 9001 through 9476 inclusive and 9998.

**(d) Subject**

Air Transport Association (ATA) of America Code 52, Doors.

**(e) Reason**

This AD was prompted by reports of fluid entry and accumulation in the aft equipment bay. We are issuing this AD to prevent excessive quantities of flammable fluid accumulation in the aft equipment bay. Flammable fluid entry and accumulation in the aft equipment bay, in excessive quantities, could exceed safe levels maintained by the drainage and ventilation system.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Modification**

Within 24 months after the effective date of this AD, modify the aft equipment bay, in accordance with the Accomplishment Instructions of the applicable service information specified in paragraphs (g)(1) through (g)(4) of this AD.

(1) For Model BD-700-1A10 airplanes, serial numbers 9002 through 9312 inclusive, 9314 through 9380 inclusive, and 9384 through 9429 inclusive: Bombardier Service Bulletin 700-52-042, dated March 29, 2012.

(2) For Model BD-700-1A10 airplanes, serial numbers 9381 and 9432 through 9476 inclusive: Bombardier Service Bulletin 700-52-6007, dated March 29, 2012.

(3) For Model BD-700-1A11 airplanes, serial numbers 9127 through 9383 inclusive, 9389 through 9400 inclusive, 9404 through 9431 inclusive, and 9998: Bombardier Service Bulletin 700-1A11-52-019, dated March 29, 2012.

(4) For Model BD-700-1A11 airplanes, serial numbers 9386, 9401, and 9445 through 9474 inclusive: Bombardier Service Bulletin 700-52-5007, dated March 29, 2012.

**(h) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, New York Aircraft Certification Office (ACO), ANE-170, 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 ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531. 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) Contacting the Manufacturer: For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, New York ACO, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

**(i) Related Information**

Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF-2014-25, dated August 21, 2014, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2015-0081-0002>.

**(j) 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) Bombardier Service Bulletin 700-1A11-52-019, dated March 29, 2012.

(ii) Bombardier Service Bulletin 700-52-042, dated March 29, 2012.

(iii) Bombardier Service Bulletin 700-52-5007, dated March 29, 2012.

(iv) Bombardier Service Bulletin 700-52-6007, dated March 29, 2012.

(3) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>.

(4) You may view this 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 December 31, 2015.  
Philip Forde,  
Acting Manager, Transport Airplane Directorate,  
Aircraft Certification Service.