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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

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

**[Docket No. FAA-2007-0158; Directorate Identifier 2007-CE-081-AD; Amendment 39-15253; AD 2007-23-07]**

**RIN 2120-AA64**

#### **Airworthiness Directives; EADS SOCATA Model TBM 700 Airplanes**

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

**ACTION:** Final rule; request for comments.

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**SUMMARY:** We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

This Airworthiness Directive (AD) results from one report of main landing gear wheel attaching nut partly unscrewed on a TBM 850 what has generated a loss of braking and which could lead to a wheel loss. The investigation revealed that this incident was due to a wheel axle machining issue, concerning a few production batches.

This AD requires actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** This AD becomes effective November 28, 2007.

On November 28, 2007, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

We must receive comments on this AD by December 10, 2007.

**ADDRESSES:** You may send comments by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Fax: (202) 493-2251.
- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- Hand Delivery: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

### **Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; 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 Office (telephone (800) 647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Albert J. Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri, 64106; telephone: (816) 329-4119; facsimile: (816) 329-4090.

### **SUPPLEMENTARY INFORMATION:**

#### **Discussion**

The Direction générale de l'aviation civile (DGAC), which is the aviation authority for France, has issued Emergency AD No. CN UF-2007-015–EADS SOCATA–TBM 700, dated September 20, 2007 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

This Airworthiness Directive (AD) results from one report of main landing gear wheel attaching nut partly unscrewed on a TBM 850 what has generated a loss of braking and which could lead to wheel loss. The investigation revealed that this incident was due to a wheel axle machining issue, concerning a few production batches.

The MCAI requires you to inspect the main landing gear (MLG) wheel axles to determine that batch number. If the batch number is one affected by this AD, you are required to inspect the axle for conformity and replace the lockwasher if necessary.

You may obtain further information by examining the MCAI in the AD docket.

#### **Relevant Service Information**

EADS SOCATA has issued TBM Aircraft Mandatory Service Bulletin Number SB 70-151, Amendment 1, dated September 2007. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### **FAA's Determination and Requirements of the AD**

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all information provided by the State of Design Authority and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

## **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 have also required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are described in a separate paragraph of the AD. These requirements take precedence over those copied from the MCAI.

## **FAA's Determination of the Effective Date**

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule, because the non-conformity of the MLG wheel axles could cause the MLG attaching nut to unscrew, which could result in loss of braking ability and/or the wheel could detach from the airplane. Therefore, we determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists for making this amendment effective in fewer than 30 days.

## **Comments Invited**

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-2007-0158; Directorate Identifier 2007-CE-081-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about 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 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.

### **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:



**2007-23-07 EADS SOCATA:** Amendment 39-15253; Docket No. FAA-2007-0158; Directorate Identifier 2007-CE-081-AD.

**Effective Date**

- (a) This airworthiness directive (AD) becomes effective November 28, 2007.

**Affected ADs**

- (b) None.

**Applicability**

(c) This AD applies to Models TBM 700 airplanes, serial numbers 205, 240, and 244 through 408, that:

- (1) Are certificated in any category; and
- (2) Have main landing gear (MLG) wheel axles with the following batch numbers installed: D67690 CZ49133, D67690 CZ52790, D67690 CZ58448, D67690 CZ62189, D67690 CZ64034, D67690 CZ66207, D67690 CZ68039, D67690 CZ70959, D67690 CZ72081, D67690 CZ72975, D67690 CZ77612, or D67690 CZ78218.

**Subject**

- (d) Air Transport Association of America (ATA) Code 32: Landing Gear.

**Reason**

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

This Airworthiness Directive (AD) results from one report of main landing gear wheel attaching nut partly unscrewed on a TBM 850 what has generated a loss of braking and which could lead to wheel loss. The investigation revealed that this incident was due to a wheel axle machining issue, concerning a few production batches.

The MCAI requires you to inspect the main landing gear (MLG) wheel axles to determine the batch number. If the batch number is one affected by this AD, you are required to inspect the axle for conformity and replace the lockwasher if necessary.

**Actions and Compliance**

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

- (1) Before further flight after the effective date of this AD, inspect the MLG wheel axles to determine the batch number in accordance with the Accomplishment Instructions in EADS SOCATA TBM Aircraft Mandatory Service Bulletin Number SB 70-151, Amendment 1, dated September 2007.

(2) Before further flight after the inspection required in paragraph (f)(1) of this AD, if the MLG wheel axle shows a batch number listed in paragraph (c)(2) of this AD, inspect the axle for conformity in accordance with Messier-Dowty Technical Instruction No. CS/ 1020/07, Issue 1, dated September 11, 2007, as referenced in EADS SOCATA TBM Aircraft Mandatory Service Bulletin Number SB 70-151, Amendment 1, dated September 2007.

(i) No further action is required if the axle is in conformance.

(ii) Before further flight for non-conforming axles, replace the original lockwasher with a new lockwasher, part number (P/N) SKW40716-118R, and mark the axle using indelible ink with the inscription "SB70-151-32" in accordance with Messier-Dowty Technical Instruction No. CS/ 1020/07, Issue 1, dated September 11, 2007, as referenced in EADS SOCATA TBM Aircraft Mandatory Service Bulletin Number SB 70-151, Amendment 1, dated September 2007.

(3) As of the effective date of this AD, do not install any MLG wheel axle with a batch number specified in paragraph (c)(2) of this AD unless it is inspected in accordance with Messier-Dowty Technical Instruction No. CS/1020/07, Issue 1, dated September 11, 2007, as referenced in EADS SOCATA TBM Aircraft Mandatory Service Bulletin Number SB 70-151, Amendment 1, dated September 2007, and a new lockwasher is installed if necessary.

### **FAA AD Differences**

Note: 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, Standards Office, 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: Albert Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4119; fax: (816) 329-4090. 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 (44 U.S.C. 3501 et seq.), 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 Direction générale de l'aviation civile (DGAC) Emergency AD No. CN UF-2007-015–EADS SOCATA–TBM 700, dated September 20, 2007; EADS SOCATA TBM Aircraft Mandatory Service Bulletin Number SB 70-151, Amendment 1, dated September 2007, for related information.

## **Material Incorporated by Reference**

(i) You must use EADS SOCATA TBM Aircraft Mandatory Service Bulletin Number SB 70-151, Amendment 1, dated September 2007, and Messier-Dowty Technical Instruction No. CS/1020/07, Issue 1, dated September 11, 2007, 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 EADS SOCATA, Direction des Services, 65921 Tarbes Cedex 9, France.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; 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>.

Issued in Kansas City, Missouri on October 30, 2007.

Kim Smith,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7-21782 Filed 11-7-07; 8:45 am]