DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc. Model CL–600–2B19 (Regional Jet Series 100 & 440) Airplanes

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

ACTION: Final rule; request for comments.

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:

The manufacturer has informed Transport Canada that a certain number of the resolver stators, which were installed in the AOA [angle of attack] transducers, were not cleaned correctly. This condition can degrade the AOA transducer performance at low temperatures resulting in freezing of the AOA transducer resolver, which may provide inaccurate AOA data to the Stall Protection System (SPS). If not corrected, this condition can result in early or late activation of the stick shaker and/or stick pusher.

The unsafe condition is early or late activation of the stick shaker or stick pusher, which can lead to loss of control of the airplane. This AD requires actions that are intended to address the unsafe condition described in the MCAI.

DATES: This AD becomes effective March 24, 2010.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of March 24, 2010.

We must receive comments on this AD by April 23, 2010.

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.

FAA’s Determination and Requirements of This 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 the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

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

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 a certain number of the resolver stators, which were installed in the AOA transducers, were not cleaned correctly. This condition can degrade the AOA transducer performance at low temperatures, resulting in freezing of the AOA transducer resolver, which may provide inaccurate AOA data to the SPS. If not corrected, this condition can result in early or late activation of the stick shaker and/or stick pusher.

The unsafe condition is early or late activation of the stick shaker or stick pusher, which can lead to loss of control of the airplane. The required actions include inspecting to determine if certain AOA transducers are installed, and replacement if necessary. You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Bombardier has issued Alert Service Bulletin A601R–27–157, Revision A, dated January 16, 2010. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.
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.

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

§ 39.13 [Amended]

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:


Effective Date

(a) This airworthiness directive (AD) becomes effective March 24, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Bombardier, Inc. Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes, certificated in any category, serial numbers (S/Ns) 7003 and subsequent equipped with Thales angle of attack (AOA) transducers having part number (P/N) 45150340 or P/N C16258AA.

Subject

(d) Air Transport Association (ATA) of America Code 27: Flight Controls.

Reason

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

“The manufacturer has informed Transport Canada that a certain number of the resolver stators, which were installed in the AOA transducers, were not cleaned correctly. This condition can degrade the AOA transducer performance at low temperatures resulting in freezing of the AOA transducer resolver, which may provide inaccurate AOA data to the Stall Protection System (SPS). If not corrected, this condition can result in early or late activation of the stick shaker and/or stick pusher.”

The unsafe condition is early or late activation of the stick shaker or stick pusher, which can lead to loss of control of the airplane. The required actions include inspecting to determine if certain AOA transducers are installed, and replacement if necessary.

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Actions

(g) Do the following actions.

1. Within 250 flight hours after the effective date of this AD, inspect to determine if the serial number of each AOA transducer having P/N 45150340 or P/N C16258AA is listed in paragraph 1.A. of Bombardier Alert Service Bulletin A601R–27–157, Revision A, dated January 18, 2010. A review of airplane maintenance records is acceptable in lieu of this inspection if the serial number of the AOA transducer can be conclusively determined from that review.

(i) If the serial number is not listed in paragraph 1.A. of Bombardier Alert Service Bulletin A601R–27–157, Revision A, dated January 18, 2010, no further action is required other than compliance with paragraph (g)(2) of this AD.

(ii) If the serial number is listed in paragraph 1.A. of Bombardier Alert Service Bulletin A601R–27–157, Revision A, dated January 18, 2010, and the serial number has the letter “C,” no further action is required other than compliance with paragraph (g)(2) of this AD.


2. As of the effective date of this AD, do not install any replacement AOA transducer having P/N 45150340 or P/N C16258AA, having a serial number listed in paragraph 1.A. of Bombardier Alert Service Bulletin A601R–27–157, Revision A, dated January 18, 2010, on any airplane, unless the transducer has been inspected by the manufacturer and has the letter “C” after the serial number.

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(b) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, New York Aircraft Certification Office (NACO), ANE–170, F.A.A., has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone 516–228–7300; fax 516–794–5531. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District
DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 39

RIN 2120–AA64


AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Boeing Model 747–100, 747–200B, 747–300, and 747SR series airplanes. This AD requires installation of a closeout panel and moisture curtains for the main equipment center. This AD results from a report of water contamination in the electrical and electronic units in the main equipment center. We are issuing this AD to prevent the malfunction of one or more electrical and electronic units in the main equipment center, which could adversely affect the airplane’s continued safe flight.

DATES: This AD is effective April 13, 2010.

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.

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; e-mail thd.cr@neo.bombardier.com; Internet http://www.bombardier.com.

For service information identified in this AD, contact Boeing Commercial Airlines, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, Washington 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; e-mail exten1_m.m.booem.com@boeing.com; Internet https://www.myboeingfleet.com.

Examiner 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 address for the Docket Office (telephone 800–647–5527) is the Document 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 20590.


SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to certain Boeing Model 747–100, 747–200B, 747–300, and 747SR series airplanes. That supplemental NPRM was published in the Federal Register on September 25, 2009 (74 FR 48882). That supplemental NPRM proposed to require installation of a closeout panel and moisture curtains for the main equipment center.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comment received from the sole commenter.

Request to Reference Revised Service Bulletin

Boeing requests that we revise the supplemental NPRM to refer to Revision 1, dated June 25, 2007, of Boeing Alert Service Bulletin 747–25A3346 for the shroud installation (paragraph (g) in the original NPRM). Boeing states that Revision 1 reroutes the forward drain tube installation, revises the pitot static lines, revises the moisture shroud inboard bracket installation, and revises the wire routing.

We disagree with Boeing’s request. As noted in the supplemental NPRM, we have removed the requirement to perform any actions in accordance with Boeing Alert Service Bulletin 747–25A3346. We have not changed the AD in this regard.

Conclusion

We reviewed the relevant data, considered the comment received, and determined that air safety and the public interest require adopting the AD as proposed.

Interim Action

We consider this AD interim action. The manufacturer is currently developing a modification that will address the unsafe condition identified in this AD. Once this modification is developed, approved, and available, we might consider additional rulemaking.