DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; BAE Systems (Operations) Limited Model Avro 146–RJ and BAE 146 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:

A potential fleet wide problem has been identified regarding the interchanging of wing links on all BAE 146 & AVRO 146–RJ aircraft during scheduled maintenance. Some operators erroneously believed that these parts were interchangeable. The effects of changing winglinks has resulted in either a shorter or longer wing link being fitted, which introduces local stresses in the wing top and bottom surfaces local to rib 2, wing links and wing link fitting attachment and the fuselage local to Frames 26 and 29. This condition, if not corrected, could result in a reduction of structural integrity of the fuselage/wing attachment with possible catastrophic consequences.

For the reasons described above, the present Airworthiness Directive (AD) requires the accomplishment of inspections and rectification actions, as necessary.

The unsafe condition could result in a loss of a wing or controllability of the airplane. The inspections include inspecting wing links for incorrect part numbers (i.e., parts that are not original), inspecting to determine wing geometry measurements, and inspecting the wing link, bores, bolts, and nuts for corrosion. Corrective actions include installing wing-to-fuselage fairings and repairing. You may obtain further information by examining the MCAI in the AD docket.


Ali Bahrami,
Manager, Transport Airplane Directorate, Aircraft Certification Service.

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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 1 product of U.S. registry. We also estimate that it will take about 180 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 $0 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators to be $15,300.

**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 (49 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:


**Effective Date**

(a) This airworthiness directive (AD) becomes effective September 17, 2010.

**Affected ADs**

(b) None.

**Applicability**


**Subject**

(d) Air Transport Association (ATA) of America Code 57: Wings.

**Reason**

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

A potential fleet wide problem has been identified regarding the interchange of wing links on all BAE 146 & AVRO 146–RJ aircraft during scheduled maintenance. Some operators erroneously believed these parts were interchangeable. The effects of changing wing links has resulted in either a shorter or longer wing link being fitted, which introduces local stresses in the wing top and bottom surfaces local to rib 2, wing links and wing link fitting attachment and the fuselage local to Frames 26 and 29. This condition, if not corrected, could result in a reduction of structural integrity of the fuselage/wing attachment with possible catastrophic consequences.

For the reasons described above, the present Airworthiness Directive (AD) requires the accomplishment of inspections and rectification actions, as necessary.

The unsafe condition could result in loss of a wing or controllability of the airplane. The inspections include inspecting wing links for incorrect part numbers (i.e., parts that are not original), inspecting to determine wing geometry measurements, and inspecting the wing link, bores, bolts, and nuts for corrosion. Corrective actions include installing wing-to-fuselage fairings and repairing.

**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) For airplanes subject to maintenance review board report (MRBR) requirements: Within 30 days after the effective date of this AD, revise the supplemental structural inspection (SSI) portion of the airplane inspection schedule, in accordance with paragraph 1.D.(2) of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–175, Revision 1, dated April 2, 2007. Do the initial inspection at the applicable time, and repeat at the applicable intervals, as specified in Appendix 3 of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–175, Revision 1, dated April 2, 2007. Where Appendix 3 of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–175, Revision 1, dated April 2, 2007, does not
specify a compliance time in either flight cycles or in flight hours, use flight cycles.

(2) For airplanes subject to MRBR requirements: Accomplishing the inspections and all applicable corrective actions specified in paragraph 1.D.(3) of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–175, Revision 1, dated April 2, 2007, terminates the revisions to the SSI portion of the airplane inspection schedule incorporated in accordance with paragraph (g)(1) of this AD, provided that if any corrosion is found during any inspection specified in “Part C” or “Part D” of paragraph 2.C. of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–175, Revision 1, dated April 2, 2007, repair is accomplished before further flight using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, or EASA (or its delegated agent).

(3) For operational airplanes subject to MRBR-to-supplemental-structural-inspection-document (SSID) transition requirements or to SSID requirements: Within 5,000 flight cycles after the effective date of this AD, do the inspections and all applicable corrective actions, in accordance with paragraph 2.C. of the Accomplishment Instructions of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–175, Revision 1, dated April 2, 2007, except if any corrosion is found during any inspection specified in “Part C” or “Part D” of paragraph 2.C. of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–175, Revision 1, dated April 2, 2007, repair must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, or EASA (or its delegated agent).

(4) For any inspection done in accordance with paragraph (g)(2) or (g)(3) of this AD: Send reports to BAE Systems, Customer Liaison, Customer Support (Building 57), BAE Systems (Operations) Limited, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland; fax +44 (0) 1292 675432; e-mail raengliason@baesystems.com; at the applicable time specified in paragraph (g)(3)(1) or this AD. The report must include the inspection results, a description of any discrepancies found, the airplane serial number, and the number of landings and flight hours on the airplane.

(ii) If the inspection was done before the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

(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


Material Incorporated by Reference

(j) You must use BAE Systems (Operations) Limited Inspection Service Bulletin ISB.53–175, Revision 1, dated April 2, 2007, as applicable, 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 BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; e-mail RAPublications@baesystems.com; Internet http://www.baesystems.com/Businesses/RegionalAircraft/index.htm.

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

(4) You may also review copies of the 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/code_of_federal_regulations/ibr_locations.html.


Ali Bahrami,
Manager, Transport Airplane Directorate, Aircraft Certification Service.

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CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1500

Correction to Internal Citation of “Extremely Flammable Solid” and “Flammable Solid”

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.