

## 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:

**2010-21-01** Eurocopter France: Amendment 39-16461. Docket No. FAA-2010-0969; Directorate Identifier 2009-SW-62-AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective on October 29, 2010.

#### Other Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Eurocopter France Model AS350B, BA, B1, B2, B3, D, AS355E, F, F1, F2, and N helicopters, certificated in any category.

#### Reason

(d) The mandatory continuing airworthiness information (MCAI) AD states that AD is issued following one report of a crack discovered in the area of the center cross-member at station X 2325, at the attachment point of the yaw channel ball-type control sheath stop of an AS355N helicopter with the collective-to-yaw control coupling. Investigations revealed that the helicopter did not have the structural doublers installed, which are combined with the collective-to-yaw control coupling installation. Repetitive loads on the non-modified cross-member may cause it to crack. A crack can reduce the yaw control travel. The AD requires actions that are intended to prevent reduced yaw control and subsequent loss of control of the helicopter.

#### Actions and Compliance

(e) Within 10 hours time-in-service (TIS) or within 1 month, whichever occurs first, unless already done, determine whether the cross-member (numbered “1”) at station X 2165 and the two doublers (numbered “2” and “3”) at stations X 2325 and Y 269 are installed as shown in Figure 1 of Eurocopter Emergency Alert Service Bulletin (EASB) No. 53.00.37, dated April 11, 2007 (EASB 53.00.37), for the Model AS350 helicopters and EASB No. 53.00.23, dated April 11, 2007 (EASB 53.00.23), for the Model AS355 helicopters.

**Note:** The one Eurocopter EASB contains 3 different numbers (Nos. 53.00.37, 53.00.11, and 53.00.23) for 4 different Eurocopter model helicopters. EASB 53.00.37 relates to 2 Model 350 (350 BB and 350 L1) helicopters that are not type-certificated in the United

States; and EASB No. 53.00.11 relates to 4 Model 550 and 6 Model 555 military helicopters that are not type-certificated in the United States.

(f) If the cross-member (numbered “1”) and doublers (numbered “2” and “3”) are not installed, before further flight, inspect for a crack in the center cross-member (numbered “4”) in the area around the attachment point of the tail rotor directional ball-type control as shown in Figure 1 of EASB 53.00.37 for the Model AS350 helicopters or EASB 53.00.23 for the Model AS355 helicopters.

(1) If you find a crack, before further flight, replace the unairworthy center cross-member (Numbered “4”) with an airworthy center cross-member and comply with paragraph (g) of this AD.

(2) If you do not find a crack, before further flight, inspect the tail rotor control rigging.

(g) Within 55 hours TIS, install the cross-member (Numbered “1”) at station X 2165 and the 2 doublers (Numbered “2” and “3”) at stations X 2325 and Y 269 by following the Appendix and the referenced Figures 2 and 3 of EASB 53.00.37 for the Model AS350 helicopters and EASB 53.00.23 for the Model AS355 helicopters.

#### Differences Between the FAA AD and the MCAI AD

(h) This AD differs from the MCAI AD as follows:

(1) We use the word “inspect” to describe the actions required by an inspector versus the word “check,” which is how we describe the actions allowed by a pilot.

(2) We refer to the compliance time as hours TIS rather than flying hours.

(3) We do not include the military model helicopters.

#### Other Information

(i) Alternative Methods of Compliance (AMOCs): The Manager, Safety Management Group, Rotorcraft Directorate, FAA, ATTN: Gary Roach, Aviation Safety Engineer, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5130, fax (817) 222-5961, has the authority to approve AMOCs for this AD, if requested, using the procedures found in 14 CFR 39.19.

#### Related Information

(j) EASA Emergency AD No. 2007-0139-E, dated May 15, 2007 (corrected May 23, 2007), contains related information.

#### Joint Aircraft System/Component (JASC) Code

(k) The JASC Code is 5320—Fuselage Misc. Structure.

#### Material Incorporated by Reference

(l) You must use the specified portions of Eurocopter Emergency Alert Service Bulletin No. 53.00.37 for the AS350 model helicopters and No. 53.00.23 for the AS355 model helicopters, both dated April 11, 2007, to do the actions required.

(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 American Eurocopter Corporation, 2701 Forum Drive, Grand

Prairie, Texas 75053-4005, telephone (800) 232-0323, fax (972) 641-3510.

(3) You may review copies at the FAA, Office of the Regional Counsel, DOT/FAA Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; 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 Fort Worth, Texas, on September 23, 2010.

**Mark R. Schilling,**

*Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 2010-25273 Filed 10-13-10; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2010-0779; Directorate Identifier 2009-SW-84-AD; Amendment 39-16467; AD 2010-21-07]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter France (ECF) Model AS350B3 and EC130 B4 Helicopters

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) for the Eurocopter France Model AS350B3 and EC130 B4 helicopters. This amendment is prompted by a mandatory continuing airworthiness information (MCAI) AD issued by the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community. The MCAI AD states that a dormant failure of one of the two contactors 53Ka or 53Kb can occur following certain modifications. Failure of a contactor can prevent switching from “IDLE” mode to “FLIGHT” mode during autorotation training making it impossible to execute a power recovery and compelling the pilot to continue the autorotation to the ground. This condition, if not corrected, can lead to an unintended touchdown to the ground during a practice autorotation at a flight-idle power setting, damage to the helicopter, and injury to the occupants.

**DATES:** Effective November 18, 2010.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 18, 2010.

**ADDRESSES:** You may get the service information identified in this AD from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (800) 232-0323, fax (972) 641-3710, or at <http://www.eurocopter.com>.

*Examining the Docket:* You may examine the docket that contains this AD, any comments, and other information on the Internet at <http://www.regulations.gov> or at the Docket Operations office, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** DOT/FAA Southwest Region, Rotorcraft Directorate, Safety Management Group, ASW-112, Ed Cuevas, Aviation Safety Engineer, 2601 Meacham Blvd., Fort Worth, Texas 76137; *telephone:* 817-222-5135; *fax:* 817-222-5961.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

We issued a Notice of Proposed Rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to ECF Model AS350B3 and EC130 B4 helicopters on August 3, 2010. That NPRM was published in the *Federal Register* on August 11, 2010 (75 FR 48615). That NPRM proposed to require inspecting the pilot's and co-pilot's throttle twist for proper operation of the contactors, which provide for changes between the "IDLE" and "FLIGHT" positions of the throttle twist grip control.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD No. 2009-0256, dated December 2, 2009, to correct an unsafe condition for the ECF Model AS350B3 and EC130 B4 helicopters. EASA advises that analysis shows a dormant failure of one of the two contactors 53Ka or 53Kb can occur following the modification of the Model AS350B3 by MOD 073254 and modification of the Model EC130 B4 by MOD 073773. Failure of a contactor can prevent switching from "IDLE" mode to "FLIGHT" mode during autorotation training making it impossible to execute a power recovery and compelling the pilot to continue the autorotation to the ground. This condition, if not corrected, can lead to an unintended touchdown to the ground during a practice autorotation at a flight-idle power setting, damage to the helicopter, and injury to the occupants.

**Related Service Information**

ECF has issued Alert Service Bulletin (ASB) No. 05.00.61 for the Model AS350B3 helicopters and ASB No. 05A009 for the EC130 B4 helicopters. Both ASBs are dated November 16, 2009. Both ASBs specify a functional check of the two contactors 53Ka and 53Kb, which are used to switch from "IDLE" to "FLIGHT" mode or vice versa. The ASBs also specify repetitive checking of the contactors for correct opening and closing to detect this dormant failure. ECF states that it will be preparing a modification, which will cancel the ASBs, in the very near future. Once the manufacturer develops corrective terminating actions, we anticipate further rulemaking.

**FAA's Evaluation and Unsafe Condition Determination**

These products have been approved by the aviation authority of France and are approved for operation in the United States. Pursuant to our bilateral agreement with France, EASA, their 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 products of these same type designs.

**Differences Between this AD and the MCAI AD**

We refer to flying hours as hours time-in-service (TIS). Also, we refer to maintenance actions as inspections rather than checks.

**Comments**

By publishing the NPRM, we gave the public an opportunity to participate in developing this AD. However, we received no comments on the NPRM or on our determination of the cost to the public. Therefore, based on our review and evaluation of the available data, we have determined that air safety and the public interest require adopting the AD as proposed.

**Costs of Compliance**

We estimate that this AD will affect about 116 of the Model EC130 B4 helicopters and 231 of the Model AS350B3 helicopters for a total of 347 helicopters of U.S. registry. We also estimate that it will take about 0.5 work-hour per helicopter to inspect and about 0.5 work-hour per helicopter to replace a micro-switch. The average labor rate is \$85 per work-hour. Required parts cost about \$538 for the T3933-3 microswitch. Based on these figures, we estimate that the cost of this AD on U.S.

operators is \$21,714, assuming 4 microswitches are replaced on the Model EC130 B4 helicopters and 8 microswitches are replaced on the Model AS350B3 helicopters.

**Regulatory Findings**

We have 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 the regulation:*

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 an economic evaluation of the estimated costs to comply with this AD. See the AD docket to examine the economic evaluation.

**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.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

**2010–21–07 Eurocopter France:**

Amendment 39–16467; Docket No. FAA–2010–0779; Directorate Identifier 2009–SW–84–AD.

**Effective Date**

(a) This airworthiness directive (AD) becomes effective on November 18, 2010.

**Other Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to Model AS350B3 and EC130 B4 helicopters, certificated in any category, with the ARRIEL 2B1 engine with the two-channel Full Authority Digital Engine Control (FADEC), and with new twist grip modification (MOD) 073254 for the Model AS350B3 helicopter or MOD 073773 for the Model EC130 B4 helicopter, installed.

**Reason**

(d) The mandatory continuing airworthiness information (MCAI) AD states that analysis shows a “dormant failure” of one of the two contactors, 53Ka or 53Kb, can occur following the introduction of MOD 073254 or MOD 073773. Failure of a contactor can prevent switching from “IDLE” mode to “FLIGHT” mode during autorotation training making it impossible to recover from the practice autorotation and compelling the pilot to continue the autorotation to the ground. This condition, if not corrected, can lead to an unintended touchdown to the ground at a flight-idle power setting during a practice autorotation, damage to the helicopter, and injury to the occupants.

**Actions and Compliance**

(e) Before the next practice autorotation or on or before 100 hours time-in-service (TIS), whichever occurs first, unless accomplished previously, and thereafter at intervals not to exceed 600 hours TIS:

(1) Inspect for the proper operation of contactors 53Ka and 53Kb by rotating the pilot and co-pilot throttle twist grip controls between the “IDLE” and “FLIGHT” position in accordance with the Accomplishment Instructions, paragraph 2.B.2, of Eurocopter Alert Service Bulletin (ASB) No. 05.00.61, dated November 16, 2009, for the Model AS350B3 helicopters or ASB No. 05A009, dated November 16, 2009, for the Model EC130 B4 helicopters, as appropriate for your model helicopter.

(2) Test the pilot and co-pilot throttle twist grip controls for proper functioning. If the throttle twist grip controls are not functioning properly, repair the controls.

**Differences Between This AD and the MCAI AD**

(f) We refer to flight hours as hours TIS. Also, we refer to maintenance actions as inspections rather than checks. Finally,

**Other Information**

(g) Alternative Methods of Compliance (AMOCs): The Manager, Safety Management Group, ATTN: DOT/FAA Southwest Region, Ed Cuevas, ASW–112, Aviation Safety Engineer, Rotorcraft Directorate, Safety Management Group, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5355, fax (817) 222–5961, has the authority to approve AMOCs for this AD, if requested, using the procedures found in 14 CFR 39.19.

**Related Information**

(h) MCAI AD No. 2009–0256, dated December 2, 2009, contains related information.

**Joint Aircraft System/Component (JASC) Code**

(i) The JASC Code is 7697: Engine Control System Wiring.

**Material Incorporated by Reference**

(j) You must use Eurocopter Alert Service Bulletin ASB No. 05.00.61 or 05A009, both dated November 16, 2009, 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 American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053–4005, telephone (800) 232–0323, fax (972) 641–3710, or at <http://www.eurocopter.com>.

(3) You may review copies at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 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 Fort Worth, Texas, on September 29, 2010.

**Kim Smith,**

Manager, Rotorcraft Directorate, Aircraft Certification Service

[FR Doc. 2010–25270 Filed 10–13–10; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2009–1229; Directorate Identifier 2009–NM–106–AD; Amendment 39–16471; AD 2010–21–11]

**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.

**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 specific batch of nose landing gear (NLG) and NLG door selector valves, part number (P/N) 601R75146–1 (Kaiser Fluid Technologies P/N 750006000), may have had their end caps incorrectly lock-wired and/or incorrectly torqued during assembly. This condition can lead to the end cap backing off, with consequent damage to a seal and internal leakage within the valve. Subsequently, if electrical power is transferred or removed from the aircraft before the NLG safety pin is installed, any pressure, including residual pressure, in the No. 3 hydraulic system can result in an uncommanded NLG retraction and/or uncommanded opening of the NLG doors. There have been six cases reported on CL[–]600–2B19 aircraft, one of which resulted in the collapse of the NLG at the departure gate.

\* \* \* \* \*

We are issuing this AD to require actions to correct the unsafe condition on these products.

**DATES:** This AD becomes effective November 18, 2010.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 18, 2010.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Cesar Gomez, Aerospace Engineer,