Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; Viking Air Limited (Type Certificate No. A–815 Formerly Held by Bombardier Inc. and de Havilland, Inc.) Model DHC–3 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD would require repetitively inspecting the elevator control tabs for discrepancies and, if any discrepancies are found, taking necessary corrective actions to bring all discrepancies within acceptable tolerances. This proposed AD results from an evaluation of revisions to the manufacturer’s maintenance manual that adds new repetitive inspections of the elevator control tabs. To require compliance with these inspections for U.S. owners and operators we are proposing the inspections through the rulemaking process. We are proposing this AD to add new repetitive inspections of the elevator control tabs. If these inspections are not done, excessive free-play in the elevator control tabs could develop. This condition could lead to loss of tab control linkage and severe elevator flutter. Such elevator flutter could lead to possible loss of control.

DATES: We must receive comments on this proposed AD by January 21, 2011.

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: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For information about the revisions to the FAA-approved maintenance/inspection program identified in this proposed AD, contact Viking Air Ltd., 9574 Hampden Road, Sidney, BC Canada V8L 5V5; telephone: (800) 663–8444; Internet: http://www.vikingair.com.

You may review copies of the referenced revisions at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call 816–329–4148.

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 proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: George Duckett, Aerospace Engineer, New York Aircraft Certification Office, FAA, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone: (516) 228–7325; fax: (516) 794–5531; email: george.duckett@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA–2010–1192; Directorate Identifier 2010–CE–020–AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed 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 proposed AD.

Discussion

Viking Aircraft Limited has issued revisions to the DHC–3 Otter maintenance manual (PSM No. 1–3–2) to add a new inspection of the elevator control tabs every 100 hours time-in-service. To require compliance with these inspections for U.S. owners and operators the inspection must be mandated through the rulemaking process.

These inspections, if not done, could result in excessive free-play in the elevator control tabs. This condition, if not detected and corrected, could lead to loss of tab control linkage and severe elevator flutter. Such elevator flutter could lead to possible loss of control.

We are continuing to evaluate the cause of the unsafe condition identified in this proposed AD to enable us to obtain better insight into the nature, cause, and extent of excessive free-play in the elevator control tabs. Based on this evaluation, we may consider further rulemaking.

FAA’s Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This proposed AD would require repetitively inspecting the elevator control tabs for discrepancies and, if any discrepancies are found, taking necessary corrective actions to bring all discrepancies within acceptable tolerances.

We are also proposing a reporting requirement requesting information when the total maximum free play of the elevator servo tab and trim tab relative to the elevator exceeds 1.0 degree (this is equal to a maximum displacement of 0.070” at the trailing edge of the servo tab). Collecting this information will help us better understand the service history related to
excessive free-play in the elevator control tabs for various Model DHC–3 engine configurations.

**Costs of Compliance**

We estimate that this proposed AD affects 65 airplanes of U.S. registry.

**Estimated Costs**

<table>
<thead>
<tr>
<th>Action</th>
<th>Labor cost</th>
<th>Parts cost</th>
<th>Cost per product</th>
<th>Cost on U.S. operators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inspection</td>
<td>1 work-hour × $85 per hour = $85 per inspection cycle.</td>
<td>Not applicable</td>
<td>$85 per inspection cycle.</td>
<td>$5,525 per inspection cycle.</td>
</tr>
</tbody>
</table>

We estimate the following costs to do any necessary follow-on actions that would be required based on the results of the proposed inspection. We have no way of determining the number of airplanes that may need this repair/replacement:

**On-Condition Costs**

<table>
<thead>
<tr>
<th>Action</th>
<th>Labor cost</th>
<th>Parts cost</th>
<th>Cost per product</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum repair</td>
<td>1 work-hour × $85 per hour = $85</td>
<td>$50</td>
<td>$135</td>
</tr>
<tr>
<td>Moderate repair</td>
<td>3 work-hours × $85 per hour = $255</td>
<td>150</td>
<td>405</td>
</tr>
<tr>
<td>Maximum repair</td>
<td>6 work-hours × $85 per hour = $510</td>
<td>450</td>
<td>960</td>
</tr>
</tbody>
</table>

**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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 proposed 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),
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.

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

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

**The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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.

2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):


**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to Viking Air Limited (type certificate No. A–815 formerly held by Bombardier Inc. and de Havilland, Inc.) Model DHC–3 airplanes, all serial numbers, that:

1. do not have the new elevator servo tab and redundant control linkage installed according to Supplemental Type Certificate (STC) No. SA01059SE; and
2. are certificated in any category.

**Subject**

(d) Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 27, Flight Controls.

**Unsafe Condition**

(e) This AD results from an evaluation of revisions to the manufacturer’s maintenance manual that adds new repetitive inspections to the elevator control tabs. To require compliance with these inspections for U.S. owners and operators we are mandating these inspections through the rulemaking process. We are issuing this AD to add new repetitive inspections of the elevator control tabs. If these inspections are not done, excessive free-play in the elevator control tabs could develop. This condition could lead to loss of tab control linkage and severe elevator flutter. Such elevator flutter could lead to possible loss of control.

**Compliance**

(f) Comply with this AD within the compliance times specified, unless already done.
DOCKET NO. FAA–2010–1192

Airplane Serial Number:
Time-in-Service (TIS) of Airplane:
Airplane Engine Type/Model Number/Series Number:
TIS of Airplane When Current Engine was Installed:
Date When Current Engine was Installed:
STC Number that Installed Current Engine (if applicable):
Out of Tolerance Recording:
Corrective Action Taken:
Any Additional Information (Optional):
Name:
Telephone and/or Email Address:
Date:

Send report to: Jim Rutherford, Aerospace Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone: (516) 228–7325; fax: (516) 794–5531; email: george.duckett@faa.gov.

(i) To get information about the revisions to the maintenance program identified in this proposed AD, contact Viking Air Ltd., 9574 Hampden Road, Sidney, BC Canada V8L 5V5; telephone: (800) 663–8444; Internet: http://www.vikingair.com. You may review copies of the referenced revision at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call 816–329–4148.

Issued in Kansas City, Missouri, on December 1, 2010.

Christina L. Marsh,
Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–30614 Filed 12–6–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 39

RIN 2120–AA64

Airworthiness Directives; Apical Industries Inc. (Apical) Emergency Float Kits

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes adopting a new airworthiness directive (AD) for the Apical emergency float kits installed on certain model helicopters under supplemental type certificates. This proposal would require adding placards on each side of the fuselage to identify the location and operation of the liferaft external inflation handle. The proposal would also require replacing each liferaft operation placard to state that external liferafts are installed. This proposal is prompted by a report of a helicopter that crashed into the water, and the pilot did not deploy the floats and liferafts. Two external T-handles were available for deployment of the liferafts but were not used by the passengers because they were unaware of their location. The proposed actions are intended to prevent helicopter occupants from further injury due to unnecessary exposure to harsh water conditions and to aid in deploying liferafts when liferafts are available on the helicopter and can be activated after a water landing.

DATES: Comments must be received on or before February 7, 2011.

ADDRESSES: Use one of the following addresses to submit comments on this proposed AD:

• 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. You may get the service information identified in this proposed AD from Apical Industries, Inc., 2608 Temple