shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current validOMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the burden of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave., SW., Washington, DC 20591. Attn: Information Collection Clearance Officer, AES–200.

Related Information

(ih) Refer to MCAI EASA AD No.: 2011–0020, dated February 7, 2011; Diamond Aircraft Industries GmbH Mandatory Service Bulletin No. MSB 42–088/2, dated February 3, 2011; and Work Instruction WI–MSB 42–088, dated February 3, 2011, for related information. For service information related to this AD, contact Diamond Aircraft Industries GmbH, N.A. Otto–Straße 5, A–2700 Wiener Neustadt, Austria, telephone: +43 2622 26700; fax: +43 2622 26780; e-mail: office@diamond–air.at; Internet: http://www.diamond–air.at. You may review copies of the referenced service information 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.

Material Incorporated by Reference

(i) You must use Diamond Aircraft Industries GmbH Mandatory Service Bulletin No. MSB 42–088/2, dated February 3, 2011; and Work Instruction WI–MSB 42–088, dated February 3, 2011, 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 Diamond Aircraft Industries GmbH, N.A. Otto–Straße 5, A–2700 Wiener Neustadt, Austria, telephone: +43 2622 26700; fax: +43 2622 26780; e-mail: office@diamond–air.at; Internet: http://www.diamond–air.at. You may review copies of the referenced service information 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.

(3) You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. 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.

Issued in Kansas City, Missouri, on May 18, 2011.

Earl Lawrence,
Manager, Small Airplane Directorate, Aircraft Certification Service.

[FDr. 2011–12898 Filed 5–31–11; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Model BAE 146 and Avro 146–RJ Airplanes

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

ACTION: Final rule.

SUMMARY: We are superseding an existing airworthiness directive (AD) that applies to 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:

In June 2000, prompted by a crack found at the top of the Nose Landing Gear (NLG) oleo, BAE Systems Operations Ltd (BAE Systems) issued Inspection Service Bulletin (ISB) ISB.32–158.

Later, as part of an accident investigation, the examination of a fractured NLG main fitting showed that M–D (Messier–Dowty) SB.146–32–150 was not accomplished.

Subsequently, investigation and analysis by M–D identified the need for a reduction of the inspection threshold and the repetitive inspection interval for the affected NLG units.

Investigation by M–D showed that if any undetected crack was present at the time of the embodiment of M–D SB 146–32–150; Part B or Part C, it could continue to grow while the NLG is in service and could lead to the failure of the main fitting and possible collapse of the NLG.

BAE Systems have received additional reports of cracked NLG main fittings. One operator reported a crack in a premodification main fitting.

The unsafe condition is cracking of the NLG, which could adversely affect the airplane’s safe landing. We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective July 6, 2011.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of July 6, 2011.

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.


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 the specified products. That NPRM was published in the Federal Register on February 7, 2011 (76 FR 6575), and proposed to supersede AD 2002–03–10, Amendment 39–12651 (67 FR 6855, February 14, 2002). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

In June 2000, prompted by a crack found at the top of the Nose Landing Gear (NLG) oleo, BAE Systems Operations Ltd (BAE Systems) issued Inspection Service Bulletin (ISB) ISB.32–158. This ISB was classified mandatory by the United Kingdom Civil Aviation Authority under AD number 002–06–2000, requiring repetitive Non–Destructive Testing (NDT) crack inspections on the upper end of the NLG oleo. The AD also provided an optional terminating action for the repetitive inspections, by embodiment of Messier–Dowty (M–D) Service Bulletin (SB) SB.146–32–150.

Later, as part of an accident investigation, the examination of a fractured NLG main fitting showed that M–D SB 146–32–150 was not accomplished, although the records indicated that it had been. BAE Systems determined that more NLG units could be similarly affected. These NLG units were overhauled at Messier Services in Sterling, Virginia, in the United States. To address this situation, [European Aviation Safety Agency]
EASA issued Emergency AD 2009–0043–E to require repetitive NDT inspections of each affected NLG unit and, if cracks are found, replacement with a serviceable unit, in accordance with the instructions of BAE Systems Alert ISB 32–180 and M–D SB 146–32–150.

Subsequently, investigation and analysis by M–D identified the need for a reduction of the inspection threshold and the repetitive inspection interval for the affected NLG units and replaced M–D SB 146–32–149 with M–D SB 146–32–174. Consequently, BAE Systems SB 32–158 was withdrawn and superseded by BAE Systems Alert ISB 32–180 Revision 1, which was mandated by EASA Emergency AD 2009–0197–E.

As further information became available, BAE Systems saw a need to clarify the compliance instructions in the ISB and issued Revision 2 of Alert Service Bulletin ISB 32–180. The layout of Revision 2 was no longer compatible with the instructions of EASA Emergency AD 2009–0197–E, so EASA issued AD 2010–0001–E which superseded EASA AD 2000–0197–E and which reduced the threshold and interval of the repetitive NDT inspections and required repetitive NDT inspections of each affected NLG unit and, if cracks were found, the replacement of the NLG with a serviceable unit.

The optional closing action of EASA AD 2010–0001–E is embodiment of M–D SB 146–32–150 (polishing and shot peening of the NLG main fitting) or confirmation that it has already been accomplished, as applicable. Further investigation by M–D showed that if any undetected crack was present at the time of the embodiment of M–D SB 146–32–150, Part B or Part C, it could continue to grow while the NLG is in service and could lead to the failure of the main fitting and possible collapse of the NLG. For this reason, EASA issued AD 2010–0072 (and its revision 1) which required the introduction of repetitive NDT inspections (defined in BAE Systems ISB 32–181) on NLG main fittings following embodiment of M–D SB 146–32–150. Despite the aforementioned measures, BAE Systems have received additional reports of cracked NLG main fittings. One operator reported a crack in a pre-modification main fitting. Shot peening was not present, as this was a pre-modification gear, but the surface finish was better than that required for a post-modification fitting. This implies that the surface finish achieved by the modification may not be effective in preventing cracking. In addition, a positive inspection return from BAE Systems ISB 32–181 also questions whether the combination of improved surface finish and shot peening are effective, as a crack may have initiated from a surface which is compliant with the modification standard.

It has been concluded that the polishing and the shot peening of the NLG main fitting embodied through M–D SB 146–32–150 are potentially ineffective in preventing cracks and that all NLG main fittings should be subject to the same 300 Flight Cycles (FC) repetitive inspection to ensure pre-critical crack detection.

Undetected cracks could lead to failure of the NLG Main Fitting and collapse of the NLG.

With that view, BAE Systems issued ISB 32–182 to implement this repetitive 300 FC inspection on all NLG main fittings regardless of their modification standard. ISB 32–182 supersedes existing ISBs A32–180 and 32–181, initially with no closing action.

For the reasons described above, this AD supersedes EASA Emergency AD 2010–0001–E and EASA AD 2010–0072 Revision 1 and requires repetitive NDT inspections of all NLG main fittings and, if cracks are found, replacement of the NLG with a serviceable unit.

This AD is revised to require corrective actions on the NLG main fittings and not on the whole NLGs. NLGs and NLG main fittings may have accumulated different flight cycle amounts.

The unsafe condition is cracking of the NLG, which could adversely affect the airplane’s safe landing. You may obtain further information by examining the MCAI in the AD docket.

Comments
We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

Conclusion
We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

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.

There are no retained actions in this final rule that are required by AD 2002–03–10.

We estimate that it will take about 1 work-hour per product to comply with the new basic requirements of this AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be $85.

We have received no definitive data that would enable us to provide a cost estimate for the on-condition actions specified in 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 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.

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.
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]

The FAA amends § 39.13 by removing Amendment 39–12651 (67 FR 6855, February 14, 2002) and adding the following new AD:


Effective Date

(a) This airworthiness directive (AD) becomes effective July 1, 2011.

Affected ADs

(b) This AD supersedes AD 2002–03–10, Amendment 39–12651.

Applicability

(c) This AD applies to BAE Systems (OPERATIONS) LIMITED Model B/Ae 146–100A, –200A, and –300A airplanes and Model Avro 146–RJ70A, 146–RJ85A, and 146–RJ100A airplanes; certificated in any category; all serial numbers.

Subject

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

Reason

(e) The mandatory continuing airworthiness information (MCAI) states: In June 2000, prompted by a crack found at the top of the Nose Landing Gear (NLG) oleo, BAE Systems (Operations) Ltd (BAE Systems) issued Inspection Service Bulletin (ISB) ISB.32–158. * * * *

Later, as part of an accident investigation, the examination of a fractured NLG main fitting showed that M–D (Messier-Dowty) SB.146–32–150 was not accomplished * * * *. BAE Systems determined that more NLG units could be similarly affected. * * * *

Subsequently, investigation and analysis by M–D identified the need for a reduction of the inspection threshold and the repetitive inspection interval for the affected NLG units * * * *

* * * *

[Investigation by M–D showed that if any undetected crack was present at the time of the embodiment of M–D SB.146–32–150, Part B or Part C, it could continue to grow while the NLG is in service and could lead to the failure of the main fitting and possible collapse of the NLG. * * * * BAE Systems have received additional reports of cracked NLG main fittings. One operator reported a crack in a premodification main fitting. * * * *

* * * * *

Undetected cracks could lead to failure of the NLG Main Fitting and collapse of the NLG.

* * * * *

The unsafe condition is cracking of the NLG, which could adversely affect the airplane’s safe landing.

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.

Inspection

(g) Before the accumulation of 5,000 total flight cycles on the NLG main fitting, or within 300 flight cycles after the effective date of this AD, whichever occurs later, do an ultrasonic inspection on the upper part of the NLG main fitting for any crack, in accordance with the Accomplishment Instructions of Messier-Dowty Service Bulletin 146–32–174, Revision 2, dated August 16, 2010, including Appendix A, Revision 1, dated September 2, 2009. Thereafter, repeat the inspection at intervals not to exceed 300 flight cycles.

(h) An inspection that has been done in accordance with the Accomplishment Instructions of Messier-Dowty Service Bulletin 146–32–174, Revision 1, dated September 2, 2009; or in accordance with the Accomplishment Instructions of Messier-Dowty Service Bulletin 146–RJ75, Revision 2, dated March 5, 2010; before the effective date of this AD but not more than 300 flight cycles before the effective date of this AD, is considered acceptable for compliance with the initial inspection required by paragraph (g) of this AD.

Replacement

(i) If any crack is found from the inspections required by paragraph (g) of this AD, before further flight, replace the NLG main fitting with a serviceable NLG main fitting, using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA) (or its delegated agent).

Note 1: Guidance on replacing the NLG main fitting with a serviceable NLG main fitting can be found in Subsection 32–20–11 of BAE SYSTEMS (OPERATIONS) LIMITED B/Ae 146 Series/Avro 146–RJ Series Aircraft Maintenance Manual, AMM 146.153, Revision 101, dated July 15, 2010.

(j) Replacing the NLG main fitting with a serviceable NLG main fitting is not a terminating action for the repetitive inspections required by paragraph (g) of this AD.

Parts Installation

(k) As of the effective date of this AD, no person may install an affected NLG main fitting on any airplane, unless that NLG main fitting has been inspected in accordance with paragraph (g) of this AD and no cracking is found.

FAA AD Differences

Note 2: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

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

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM–116, Transport Airplane Directorate, 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: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1175; fax (425) 227–1149. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(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 Authorization (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

Related Information


Material Incorporated by Reference

(n) You must use Messier-Dowty Service Bulletin 146–32–174, Revision 2, dated August 16, 2010, including Appendix A, Revision 1, dated September 2, 2009; to do the actions required by this AD, unless the AD specifies otherwise. (Page 6 of this document does not contain a revision level or date.)

(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.


(3) For BAE SYSTEMS (OPERATIONS) LIMITED service information identified in this AD, contact BAE SYSTEMS.
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 superseding an existing airworthiness directive (AD) for the products listed above. That AD currently requires an inspection to determine if a certain fuel pump housing electrical connector is installed. The existing AD also requires a revision to the FAA-approved airplane flight manual (AFM) to advise the flightcrew of the proper procedures for disabling certain fuel pump electrical circuits following failure of a fuel pump housing electrical connector if applicable. The existing AD also requires the deactivation of certain fuel tanks or fuel pumps and the installation of placards if applicable. The existing AD allows the optional replacement of the fuel pump housing electrical connectors with new, improved parts, which would terminate the AFM revisions, deactivation of certain fuel tanks and fuel pumps, and placard installation. This new AD instead requires replacing the fuel pump housing electrical connector assembly with a new part and doing repetitive inspections for continuity, resistance, and insulation resistance, and doing corrective actions if necessary. This AD was prompted by reports of failures of a certain fuel pump housing electrical connector. We are issuing this AD to detect and correct insulation resistance degradation and arcing in the potted backside of the electrical connector assembly of the fuel boost/transfer pump housing, which could compromise its performance and cause an ignition source in the fuel tank, resulting in a fuel tank explosion and consequent loss of the airplane.

DATES: This AD is effective July 6, 2011.

The Director of the Federal Register approved the incorporation by reference (IBR) of certain publications listed in the AD as of July 6, 2011.

ADDRESSES: For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, 3855 Lakewood Boulevard, MC D800–0019, Long Beach, California 90846–0019; telephone 206–544–5000; extension 2; fax 206–766–5683; e-mail dse.boeing@boeing.com; Internet https://www.myboeingfleet.com. You may review copies of the referenced 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.

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 address for the Docket Office (phone: 800–647–5527) is 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 notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede airworthiness directive (AD) 2007–15–05, amendment 39–15134 (72 FR 40216, July 24, 2007). That AD applies to the specified products. The NPRM published in the Federal Register on November 5, 2010 (75 FR 68246). That NPRM proposed to require replacing the fuel pump housing electrical assembly with a new part and doing repetitive inspections for continuity, resistance, and insulation resistance, and doing corrective actions, if necessary.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the proposal and the FAA’s response to each comment.

Request for Addition of Part Number

FedEx requested that we add, in the header above the Summary and paragraphs (c), (e), and (f) of the proposed AD, the part number of the fuel pump housing electrical connector assembly requiring replacement. FedEx stated that the change will clarify the AD and avoid unnecessary work and cost to the operators.

We partially agree with the commenter. We disagree with adding the part number of the fuel pump housing electrical connector assembly requiring replacement to the header information, paragraph (c), and paragraph (f) of this AD because the affected part could be rotated onto any of the airplanes listed in the applicability. However, we agree that clarification of paragraph (h) of this AD (referred to as paragraph (g) in the NPRM is needed. In order to comply with this AD, for all airplanes in the applicability it must be determined if the fuel pump housing electrical connector assembly having part number P/N 60–84355–1 is installed. We have added paragraph (g) to specify the inspection to determine the part number. We have also added a reference of P/N 60–84355–1 to paragraph (h) of this AD for clarification. In addition, we have added a reference of P/N 60–84355–1 to paragraph (e) of this AD for clarification.