ERJ 190 airplanes), on which 18 months or more has elapsed from the slide date of manufacture (for slides that have not been repacked) or the date of last slide repack (for slides that have been repacked).

**FAA AD Differences**

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

**Other FAA AD Provisions**

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

- 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. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Kenny Kaulia, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–2848; fax (425) 227–1149. Information may be e-mailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov.

- The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to use the procedures found in 14 CFR 39.19.

(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 Authority (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**

- You must use Goodrich Alert Service Bulletin 4A4030–25A379, original, dated August 10, 2009; or Goodrich Alert Service Bulletin 104003–25A380, Revision 2, dated July 7, 2009; as applicable; to do the actions required by this AD, unless the AD specifies otherwise.

**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 pylon internal shear pin was found cracked during a regular check.

Further investigation revealed that the failure occurred due to hydrogen embrittlement. The ANAC is issuing this [Brazilian] AD to prevent insufficient strength of the pylon to wing attachment, which in combination with an engine imbalance caused by a fan blade out could cause pylon to wing attachment failure and consequent engine separation.

**Required actions include replacing pylon shear pins in the rear outboard and inboard shear pin assembly in the right- and left-hand pylons with new parts. 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 considered the comments received.

**Request for Further Inspection**

JetBlue requested that, in addition to replacement of the pylon rear inboard and outboard internal shear pins, a detailed visual inspection of the pylon rear outboard and inboard external shear pins should be done to ensure that
the external shear pins have no
evidence of corrosion and corrosion
products, or corrosion pitting. JetBlue
found external shear pins with surface
corrosion and pitting.
We disagree with the request. Embraer
inspected the suspect external shear
pins from JetBlue and found particles of
sealant and other contaminants
embedded in the inner surface, but there
was no sign of corrosion or damage. The
material of the external shear pin is
corrosion-resistant stainless steel. No
change has been made to the AD in this
regard.

Request To Clarify Service Bulletin
Reference

Embraer requested that paragraph (j)
of the NPRM refer to EMBRAER Service
Bulletin 190LIN–54–0001, dated June
We agree with the request and have
made the change in paragraph (j) of this
AD.

Conclusion

We reviewed the available data,
including the comments received, and
determined that air safety and the
public interest require adopting the AD
with the change described previously.
We determined that this change will not
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
73 products of U.S. registry. We also
estimate that it will take about 10 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 $2,360
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
$234,330, or $3,210 per product.

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

ADDRESS

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:

2011–18–14 Empresa Brasileira de
Aeronautica S.A. (EMBRAER):
FAA–2011–0216; Director Identifier
2010–NM–197–AD.

Effective Date

(a) This airworthiness directive (AD)
becomes effective October 14, 2011.

Aimed at

(b) None.

Applicability

(c) This AD applies to all Empresa
Brasileira de Aeronautica S.A. (EMBRAER)
Model ERJ 190–100 STD, –100 LR, –100 ECJ,
Model ERJ 190–200 STD, –200 LR, and –200 IGW
airplanes; and Model ERJ 190–

200 STD, –200 LR, and –200 IGW airplanes;
certified in any category.

Subject

(d) Air Transport Association (ATA) of
America Code 54: Nacelles/Pylons.

Reason

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

* * * * * The pylons internal shear pin was
found cracked during a regular check.
Further investigation revealed that the failure
due to hydrogen embrittlement. The
ANAC [Agência Nacional de Aviação Civil]
is issuing this [Brazilian] AD to prevent
insufficient strength of the pylon to wing
attachment, which in combination with an
engine imbalance caused by a fan blade out
could cause pylon to wing attachment failure
and consequent engine separation.

* * * * *

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.

Replace Shear Pins

(g) For Model ERJ 190–100 STD, –100 LR,
−100 IGW; and ERJ 190–200 STD, –200 LR,
and —200 IGW airplanes: Within 3,000 flight hours after the effective date of this AD, replace the shear pins having part number (P/N) 190–15178–003 and P/N 190–15181–003 in the rear outboard and inboard shear pin assembly in the right- and left-hand pylons, with new shear pins having P/N 190–15178–005 and P/N 190–15181–005, respectively, in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 190–54–0010, dated May 19, 2010.

(h) For Model ERJ 190–100 ECJ airplanes: Within 3,000 flight hours or within 12 months after the effective date of this AD, whichever occurs first, replace the shear pins having P/N 190–15178–003 and P/N 190–15181–003 in the rear outboard and inboard shear pin assembly in the right- and left-hand pylons, with new shear pins having P/N 190–15178–005 and P/N 190–15181–005, respectively, in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 190LIN–54–0001, dated June 21, 2010.

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows: The MCAI allows credit for previous installation of internal shear pins in accordance with EMBRAER 190 Aircraft Maintenance Manual Task 54–50–00–400, Revision 19, dated July 15, 2010. This AD does not allow credit for this task; however, under the provisions of paragraph (i) of this AD, we will consider requests for an alternative method of compliance.

Other FAA AD Provisions

(i) 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.

2. For service information identified in this AD, contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), Technical Publications Section (PC 060), Av. Brigadeiro Faria Lima, 2170—Putim—12227–901 São José dos Campos—SP—BRASIL; telephone +55 12 3927–5852 or +55 12 3309–0732; fax +55 12 3927–7546; e-mail distrib@embraer.com.br; Internet http://www.flyembraer.com.

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.

Issued in Renton, Washington, on August 19, 2011.

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

[FR Doc. 2011–22028 Filed 9–8–11; 8:45 am] BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc. Model DHC–8–400 Series 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:

Several operators have reported pitch oscillations and/or elevator asymmetry caution lights illumination when flying with the autopilot engaged. Investigations revealed that loose rivets in the torque tube assemblies caused relative motion between the crank arms and torque tubes.

Loose rivets could result in excessive wear and subsequent significant backlash in the driving crank arms. This condition, if left uncorrected, will progressively get worse and degrade the controllability of the airplane.

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

DATES: This AD becomes effective October 14, 2011.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 14, 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 May 12, 2011 (76 FR 27617). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Several operators have reported pitch oscillations and/or elevator asymmetry caution lights illumination when flying with the autopilot engaged. Investigations revealed that loose rivets in the torque tube assemblies caused relative motion between the crank arms and torque tubes.

Loose rivets could result in excessive wear and subsequent significant backlash in the driving crank arms. This condition, if left