

**(h) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Seattle Aircraft Certification Office (ACO), ANM-150S, 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 manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(2) 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.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplane Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

**(i) Related Information**

For more information about this AD, contact Sarah Piccola, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM-150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: (425) 917-6483; fax: (425) 917-6590; email: [sarah.piccola@faa.gov](mailto:sarah.piccola@faa.gov).

**(j) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Special Attention Service Bulletin 767-25-0520, dated February 8, 2012.

(ii) Reserved.

(3) For Boeing service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P. O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone (206) 544-5000, extension 1; fax (206) 766-5680; 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.

(4) You may view this service information at FAA, 1601 Lind Avenue SW., Renton, Washington 98057-3356. For information on the availability of this material at the FAA, call 425-227-1221.

(5) You may view this 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/cfr/ibr-locations.html>.

Issued in Renton, Washington, on April 10, 2013.

**Jeffrey E. Duven,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2013-09202 Filed 4-30-13; 8:45 am]

**BILLING CODE 4910-13-P**

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

**[Docket No. FAA-2009-0288; Directorate Identifier 2008-NM-214-AD; Amendment 39-17435; AD 2013-08-18]**

**RIN 2120-AA64**

**Airworthiness Directives; The Boeing Company Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain The Boeing Company Model 737-600, -700, -700C, -800, -900 and -900ER series airplanes. This AD was prompted by a report of leaking fuel from the wing leading edge area at the inboard end of the number 5 leading edge slat. This AD requires modifying the fluid drain path in the wing leading edge area, forward of the wing front spar, and doing all applicable related investigative and corrective actions; and installing new seal disks on the latches in the fuel shutoff valve access door. We are issuing this AD to prevent flammable fluids from accumulating in the wing leading edge, and draining inboard and onto the engine exhaust nozzle, which could result in a fire.

**DATES:** This AD is effective June 5, 2013. The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of June 5, 2013.

**ADDRESSES:** For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, Washington 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; 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.

**FOR FURTHER INFORMATION CONTACT:**

Ansel James, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: 425-917-6497; fax: 425-917-6590; email: [ansel.james@faa.gov](mailto:ansel.james@faa.gov).

**SUPPLEMENTARY INFORMATION:****Discussion**

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to the specified products. That SNPRM published in the **Federal Register** on March 16, 2012 (77 FR 15638). The original NPRM (74 FR 15683, April 7, 2009) proposed to require modifying the fluid drain path in the wing leading edge area, forward of the wing front spar and doing all applicable related investigative and corrective actions. The SNPRM proposed to revise that NPRM by including installing new seal disks on the latches in the fuel shutoff valve access door as part of the modification and by specifying that certain inspections are detailed inspections. The SNPRM also proposed to revise the applicability to include additional airplanes.

**Revised Service Bulletin**

Boeing has issued Special Attention Service Bulletin 737-57-1293, Revision 3, dated December 14, 2012. This revision includes clarification for the re-identification of parts and assemblies. We have revised paragraphs (c) and (g) of this AD to refer to Boeing Special Attention Service Bulletin 737-57-1293, Revision 3, dated December 14, 2012.

**Comments**

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the supplemental NPRM (77 FR 15638, March 16, 2012) and the FAA’s response to each comment.

**Concurrence**

Boeing concurred with the content of the SNPRM (77 FR 15638, March 16, 2012).

**Request for Compliance Time Extension**

United Airlines, Tracinda Flight Department, and American Airlines requested an extension to the 24-month compliance time specified in the SNPRM (77 FR 15638, March 16, 2012). Tracinda Flight Department requested a compliance time of 36 months to coincide with a heavy maintenance check. American Airlines requested a compliance time of 60 to 72 months to coincide with its scheduled heavy maintenance check. American Airlines stated that the actions accomplished in accordance with AD 2011–06–05, Amendment 39–16629 (76 FR 15808, March 22, 2011), address the safety issue identified in the SNPRM. United Airlines recommended a compliance time of 60 months for airplanes on which actions have been done in accordance with AD 2011–06–05, as well as airplanes having line numbers 2700 and subsequent on which the actions have been incorporated for the wing slat down stop hardware modification and inspections.

We disagree with the commenters’ requests to extend the compliance time. We have determined that the compliance time, as proposed, represents the maximum interval of time allowable for the affected airplanes to continue to safely operate before the modification is done. Since maintenance schedules vary among operators, there would be no assurance that the airplanes would be modified during that maximum interval. However, under the provisions of paragraph (i) of the final rule, we will consider requests for approval of an extension of the compliance time if sufficient data are submitted to substantiate that a new compliance time would provide an acceptable level of safety. Additionally, the issue addressed in this AD is different from the issue addressed in AD 2011–06–05,

Amendment 39–16629 (76 FR 15808, March 22, 2011); therefore, changing the compliance time based on the actions done in accordance with AD 2011–06–05 is not acceptable. We have not changed the AD in this regard.

**Request for Change to Airplane Groups**

Southwest Airlines requested a change to the airplanes in Group 2, as specified in Boeing Special Attention Service Bulletin 737–57–1293, Revision 2, dated September 28, 2011. The commenter stated that Group 2 airplanes include line numbers 2131 through 2837—instead of 2131 through 2437, as specified in Boeing Special Attention Service Bulletin 737–57–1293, Revision 2, dated September 28, 2011. The commenter stated that Figures 4 and 16 of that service bulletin specify a modification of the hinge assembly having part number (P/N) 116A5522–1, which is installed on airplanes having line numbers 1 through 2837.

We disagree to change the airplanes in Group 2. The purpose of the Group 2 division is to address a parting agent issue and not hinge trimming. Although the hinge assembly part number does change at airplane line number 2837, it is unrelated to the Group 2 division. No change has been made to the AD in this regard.

**Request for Parts Specifications**

American Airlines requested that we provide material specifications and part dimensions to allow for manufacturing of alternatives for a seal disk having P/N 116A8505–2. The commenter stated that the parts are unavailable from Boeing and having an alternate part is necessary to ensure a sufficient supply for operators.

We cannot include proprietary information such as part dimensions and materials in ADs; however, we are aware that seal disks having P/N 116A8505–2 are now available from the manufacturer. No change has been made to the AD in this regard.

**Request for Credit for Actions Done Previously**

Tracinda Flight Department requested that we revise the supplemental NPRM (77 FR 15638, March 16, 2012) to provide credit for doing the actions specified in Boeing Special Attention Service Bulletin 737–57–1293, Revision 2, dated September 28, 2011.

We agree to allow credit for actions done in accordance with Boeing Special Attention Service Bulletin 737–57–1293, Revision 2, dated September 28, 2011. We have added new paragraph (h) to this AD accordingly.

American Airlines requested that we revise the supplemental NPRM (77 FR 15638, March 16, 2012) to allow credit for actions done using Boeing Special Attention Service Bulletin 737–57–1293, Revision 1, dated January 11, 2010. The commenter stated that the updates in Boeing Special Attention Service Bulletin 737–57–1293, Revision 2, dated September 28, 2011, do not address the safety issue with the exception of the addition of the rubber seal disk.

We disagree with the commenter’s request. Boeing Special Attention Service Bulletin 737–57–1293, Revision 2, dated September 28, 2011, changed the inspection type for the bonding jumper countersink diameter and clarified certain instructions specified in Boeing Special Attention Service Bulletin 737–57–1293, Revision 1, dated January 11, 2010. However, operators may request approval of an alternative method of compliance (AMOC), as specified in paragraph (i) of this AD. No change has been made to the AD in this regard.

**Conclusion**

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting the AD with the changes described previously and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the SNPRM (77 FR 15638, March 16, 2012) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the SNPRM (77 FR 15638, March 16, 2012).

We also determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

**Costs of Compliance**

We estimate that this AD affects 1,072 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

**ESTIMATED COSTS**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Modification, Group 1 (734 airplanes) .....	50 work-hours × \$85 per hour = \$4,250 .....	\$1,262	\$5,512	\$4,045,808

## ESTIMATED COSTS—Continued

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Modification, Group 2 (58 airplanes) .....	27 work-hours × \$85 per hour = \$2,295 .....	1,262	3,557	206,306
Modification, Group 3 (280 airplanes) .....	3 work-hours × \$85 per hour = \$255 .....	94	349	97,720

**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**

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 this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Is not a "significant rule" under 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.

**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 airworthiness directive (AD):

**2013-08-18 The Boeing Company:**

Amendment 39-17435; Docket No. FAA-2009-0288; Directorate Identifier 2008-NM-214-AD.

**(a) Effective Date**

This AD is effective June 5, 2013.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to The Boeing Company Model 737-600, -700, -700C, -800, -900 and -900ER series airplanes, certified in any category, as identified in Boeing Special Attention Service Bulletin 737-57-1293, Revision 3, dated December 14, 2012.

**(d) Subject**

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 57, Wings.

**(e) Unsafe Condition**

This AD was prompted by a report of leaking fuel from the wing leading edge area at the inboard end of the number 5 leading edge slat. We are issuing this AD to prevent flammable fluids from accumulating in the wing leading edge, and draining inboard and onto the engine exhaust nozzle, which could result in a fire.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Modification**

Within 24 months after the effective date of this AD, modify the fluid drain path in the wing leading edge area, forward of the wing front spar, and do all applicable related investigative and corrective actions, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 737-57-1293, Revision 3, dated December 14, 2012. Do all applicable related investigative and corrective actions before further flight.

**(h) Credit for Previous Actions**

This paragraph provides credit for the corresponding actions required by paragraph

(g) of this AD, if those actions were performed before the effective date of this AD using Boeing Special Attention Service Bulletin 737-57-1293, Revision 2, dated September 28, 2011, which is not incorporated by reference in this AD.

**(i) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Seattle Aircraft Certification Office (ACO), 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 manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: [9ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(2) 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.

**(j) Related Information**

For more information about this AD, contact Ansel James, Aerospace Engineer, Propulsion Branch, ANM-140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: 425-917-6497; fax: 425-917-6590; email: [ansel.james@faa.gov](mailto:ansel.james@faa.gov).

**(k) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Special Attention Service Bulletin 737-57-1293, Revision 3, dated December 14, 2012.

(ii) Reserved.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, Washington 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>.

(4) 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.

(5) You may view this 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/cfr/ibr-locations.html>.

Issued in Renton, Washington, on April 5, 2013.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2013-09205 Filed 4-30-13; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2010-1303; Directorate Identifier 2010-SW-049-AD; Amendment 39-17434; AD 2013-08-17]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter France Helicopters

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for Eurocopter France (Eurocopter) Model SA-365N, SA-365N1, AS-365N2, AS 365 N3, and SA-366G1 helicopters. This AD requires an initial and recurring inspection of the 9-degree frame for a crack, and repair of the frame if there is a crack. This AD was prompted by the discovery of a crack in the 9-degree frame of a Eurocopter Model AS-365N2 helicopter, and these cracks could develop on the other specified model helicopters because they contain the same 9-degree frame. The actions specified by this AD are intended to detect a crack in the 9-degree frame to prevent loss of structural integrity and subsequent loss of control of the helicopter.

**DATES:** This AD is effective June 5, 2013.

The Director of the Federal Register approved the incorporation by reference of certain documents listed in this AD as of June 5, 2013.

**ADDRESSES:** 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>. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

#### 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 this AD, any incorporated-by-reference service information, the economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (phone: 800-647-5527) is U.S. Department of Transportation, Docket Operations Office, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Gary Roach, Aviation Safety Engineer, Regulations and Policy Group, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222-5110; email [gary.b.roach@faa.gov](mailto:gary.b.roach@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Discussion

On January 18, 2011 at 76 FR 2842, the **Federal Register** published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 to include an AD that would apply to Eurocopter Model SA-365N, SA-365N1, AS-365N2, AS 365 N3, and SA-366G1 helicopters. That NPRM proposed to require an initial and recurring inspections of the inner angles and flanges of the 9-degree frame on the right-hand (RH) and left-hand (LH) sides for a crack. If a crack was found, the NPRM proposed to require, before further flight, repairing the frame. The proposed requirements were intended to detect a crack in the 9-degree frame to prevent loss of structural integrity and subsequent loss of control of the helicopter.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, issued EASA Emergency AD No. 2010-0064-E, dated April 1, 2010, which supersedes EASA Emergency AD No. 2009-0125-E, dated June 12, 2009 (with a correction dated June 15, 2009), to correct an unsafe condition for the specified model helicopters. EASA advises that during a major inspection a crack was found in the 9-degree frame of an AS 365 N2 helicopter, which had logged a total of 10,786 flight hours. The crack was located 230 millimeters above the cabin floor and had grown over a large section of the 9-degree frame on the RH side. EASA states that analysis shows that the time required for initiation of a crack in this area varies

according to the weight and balance data of the different aircraft versions.

#### Comments

We gave the public the opportunity to participate in developing this AD, but we did not receive any comments on the NPRM (76 FR 2842, January 18, 2011).

#### FAA's Determination

These helicopters 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, its 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 the EASA and determined the unsafe condition exists and is likely to exist or develop on other helicopters of these same type designs and that air safety and the public interest require adopting the AD requirements as proposed, except we are incorporating figures by reference instead of including them in our AD to meet current publication requirements. This change is consistent with the intent of the proposals in the NPRM (76 FR 2842, January 18, 2011) and will not increase the economic burden on any operator nor increase the scope of the AD.

#### Related Service Information

Eurocopter has issued Emergency Alert Service Bulletin (EASB), Revision 1, dated March 31, 2010, containing the following three numbers: No. 05.00.57 for FAA type-certificated Model SA-365N and N1, and AS-365N2 and N3 helicopters and for military, not FAA type-certificated, Model AS365F, Fs, Fi, and K helicopters; No. 05.00.25 for military, not FAA type-certificated, Model AS565AA, MA, MB, SA, SB, and UB helicopters; and No. 05.39 for FAA type-certificated Model SA-366G1 helicopters and for military, not FAA type-certificated, Model SA366GA helicopters. This EASB specifies checking at regular intervals for a crack in the areas of the inner angles and flanges of the 9° frame on the RH and LH sides, near the splice. This EASB also states that Eurocopter is currently studying an improvement (reinforcement) of the frame, which will cancel the checks specified by the EASB. EASA classified this EASB as mandatory and issued AD No. 2010-0064-E, dated April 1, 2010, to ensure the continued airworthiness of these helicopters.