DEPARTMENT OF TRANSPORTATION  
Federal Aviation Administration  
14 CFR Part 39  
RIN 2120–AA64  

Airworthiness Directives; AQUILA—Aviation by Excellence AG Airplanes  
AGENCY: Federal Aviation Administration (FAA), DOT.  

ACTION: Final rule; request for comments.  

SUMMARY: We are adopting a new airworthiness directive (AD) AQUILA—Aviation by Excellence AG Model AT01 airplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as a defective sealing of a tapped through bore hole at the inside of the fuel tank openings in combination with prolonged periods at maximum fuel level. We are issuing this AD to require actions to address the unsafe condition on these products.  

DATES: This AD is effective December 30, 2013.  

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of December 30, 2013.  

We must receive comments on this AD by January 9, 2014.  

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.  
• 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.  

For service information identified in this AD, contact AQUILA Aviation GmbH, OT Schoenhagen, Flugplatz, D–14959 Trebbin, Germany; phone: +49–(0) 33731–707–0; fax: +49 (0) 33731–707–11; Internet: http://www.aquila-aviation.de/; email: maintenance@aquila-aviation.de. You may review this 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.  

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 street address for the Docket Office (telephone (800) 647–5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.  

FOR FURTHER INFORMATION CONTACT: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; fax: (816) 329–4090; email: doug.rudolph@faa.gov.  

SUPPLEMENTARY INFORMATION:  

Discussion  

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No. 2013–0236, dated September 25, 2013.  

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

(3) For service information identified in this AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11, Dahlewitz, 15827 Blankenfelde-Mahlow, Germany; phone: 49 0 337–0866–1206; fax: 49 0 337–0866–1212.  

(4) You may view this service information at FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.  

(5) You may view this service information 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 Burlington, Massachusetts, on November 1, 2013.  
Thomas A. Boudreau,  
Acting Assistant Directorate Manager, Engine  
& Propeller Directorate, Aircraft Certification  
Service.  

[FR Doc. 2013–27431 Filed 11–22–13; 8:45 am]  
BILLING CODE 4910–13–P
An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because no airplanes currently on the U.S. registry and thus, does not have any impact upon the public. Therefore, we find that notice and opportunity for prior public comment are unnecessary.

Comments Invited
This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA–2013–0963; Directorate Identifier 2013–CE–034–AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this 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 AD.

Costs of Compliance
We estimate that this AD will affect 0 products of U.S. registry. We also estimate that it will take about 2 work-hours per product to comply with the 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 on U.S. operators to be $0, or $0 per product.

In addition, we estimate that any necessary follow-on actions will take about 2 work-hours and require parts costing $100, for a cost of $270 per product. We have no way of determining the number of products that may need these actions.

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 that 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),
(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 AD:

(a) Effective Date
This airworthiness directive (AD) becomes effective December 30, 2013.

(b) Affected ADs
None.

(c) Applicability
This AD applies to Aquila—Aviation by Excellence AG Model AT01 airplanes, serial numbers AT01–100 through AT01–299, certificated in any category.
(d) Subject

(e) Reason
This AD was prompted by mandatory continuing airworthiness information (MCAI) originating from the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as a defective sealing of a tapped through bore hole at the inside of the fuel tank openings in combination with other periods at maximum fuel level. We are issuing this AD to detect and correct a defective sealing of a tapped through bore hole at the inside of the fuel tank openings, which if not detected and corrected, could cause long-term structural degradation of the wing structure.

(f) Actions and Compliance
Unless already done, do the following actions, as specified in paragraphs (f)(1) through (f)(6), including subparagraphs, of this AD:

Note 1 to paragraph (f) of this AD: The service information referenced in this AD contains German to English translation. The MCAI cites the English translation. The following is the English to German translation of the service information entitled: AQUILA Aviation GmbH Vorgeschrieben Technische Mitteilung SB–AT01–027, dated August 15, 2013 (English translation: AQUILA Aviation GmbH Mandatory Service Bulletin SB–AT01–027, Issue A.02, dated August 15, 2013). For paragraphs (f)(1) through (f)(6), the service information will be cited using the English translation.

(1) Within 100 hours time-in-service (TIS) after December 30, 2013 (the effective date of this AD) or 3 months after December 30, 2013 (the effective date of this AD), whichever occurs first, and repetitively thereafter at intervals not to exceed 12 months, visually inspect the left hand (LH) and right hand (RH) wing tank areas following paragraph (1) of the Actions section of AQUILA Aviation GmbH Mandatory Service Bulletin SB–AT01–027, Issue A.02, dated August 15, 2013.

(2) Concurrent with the initial inspection required in paragraph (f)(1) of this AD, seal the tapped through bore holes inside the LH and RH fuel tank openings following paragraph (2) of the Actions section of AQUILA Aviation GmbH Mandatory Service Bulletin SB–AT01–027, Issue A.02, dated August 15, 2013.

(3) If, during any subsequent inspection required in paragraph (f)(1) of this AD, a tapped through bore hole inside the LH or RH fuel tank opening is found to be improperly sealed, within the next 100 hours TIS after detecting the improper seal or 3 months after detecting the improper seal, whichever occurs first, renew the sealing of the affected bore hole following paragraph (2) of the Actions section of AQUILA Aviation GmbH Mandatory Service Bulletin SB–AT01–027, Issue A.02, dated August 15, 2013.

(4) If, during any inspection required in paragraph (f)(1) of this AD, the upper wing shells show damaged finishing in the tank areas, before further flight, contact AQUILA Aviation GmbH following paragraph (3) of the Actions section of AQUILA Aviation GmbH Mandatory Service Bulletin SB–AT01–027, Issue A.02, dated August 15, 2013, at the address identified in paragraph (i)(3) of this AD for an approved repair scheme and, accomplish the repair scheme before further flight.

(5) Accomplishment of corrective actions required in paragraph (f)(3) or (f)(4) of this AD does not constitute terminating action for the repetitive inspections required by paragraph (f)(1) of this AD.

(6) After accomplishment of the required initial inspection and sealing in paragraph (f)(1) and (f)(2) of this AD, compliance with the requirements of this AD can be demonstrated by:

(i) Revising the approved Aircraft Maintenance Program (AMP) and standard practices (Instructions for Continued Airworthiness) on the basis of which the operator or the owner ensures the continuing airworthiness of each airplane: Incorporate the corrective action in paragraph (f)(1) of this AD following the repetitive inspections required by paragraph (f)(1) of this AD.


(g) Other FAA AD Provisions
The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, Standards Office, 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: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; fax: (816) 329–4090; email: doug.rudolph@faa.gov. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use those 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.

(h) Related Information

(i) 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.

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 39
[Airworthiness Directives; Eurocopter France Helicopters]

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2010–21–01 for Eurocopter France (Eurocopter) Model AS350B, BA, B1, B2, B3, D, AS355E, F, F1, F2, and N