Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; Dassault Aviation Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Dassault Aviation Model MYSTERE–FALCON 50, MYSTERE–FALCON 900, FALCON 900EX, FALCON 2000, and FALCON 2000EX airplanes. This AD is effective November 22, 2016.

DATES: This AD is effective November 22, 2016.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 22, 2016.


SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Dassault Aviation Model MYSTERE–FALCON 50, MYSTERE–FALCON 900, FALCON 900EX, FALCON 2000, and FALCON 2000EX airplanes. The SNPRM published in the Federal Register on June 17, 2016 (81 FR 39597) (“the SNPRM”). We preceded the SNPRM with a notice of proposed rulemaking (NPRM) that published in the Federal Register on September 24, 2015 (80 FR 57545) (“the NPRM”). The NPRM proposed to require modification of the anti-collision light bonding. The NPRM was prompted by a report of an in-flight lightning strike to the WHELEN anti-collision light located on the top of the vertical fin tip that caused severe damage and resulted in the loss of some airplane functions. This AD requires modification of the anti-collision light bonding. We are issuing this AD to prevent loss of electrical power and essential airplane functions, and possible reduced control of the airplane.

EXAMINING THE AD DOCKET


Reviewing the Related Service Information

We reviewed the following service information.

• Dassault Service Bulletin F900–378, Revision 1 (also referred to as 378–R1), dated January 26, 2015.
• Dassault Service Bulletin F900–378, Revision 1 (also referred to as 378–R1), dated January 26, 2015.
• Dassault Service Bulletin F900EX–305, Revision 1 (also referred to as 305–R1), dated January 26, 2015.

The service information describes procedures for modifying the anti-collision light bonding. These documents are distinct since they apply to different airplane models in different configurations. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

Costs of Compliance
We estimate that this AD affects 778 airplanes of U.S. registry. We also estimate that it would take about 12 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Required parts would cost about $801 per product. Based on these figures, we estimate the cost of this AD on U.S. operators to be $1,416,738, or $1,821 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 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 airworthiness directive (AD):


(a) Effective Date
This AD is effective November 22, 2016.

(b) Affected ADs
None.

(c) Applicability
This AD applies to Dassault Aviation airplanes, certificated in any category, identified in figure 1 to paragraph (c) of this AD.

---

<table>
<thead>
<tr>
<th>Airplanes</th>
<th>Configuration</th>
<th>Except airplanes modified through: ¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dassault Aviation Model MYSTERE-FALCON 50 airplanes.</td>
<td>M1853 has been embodied in production or in service through Dassault Service Bulletin F50–241.</td>
<td>M2083 or M3094 ² ...... Dassault Service Bulletin F50-257.</td>
</tr>
<tr>
<td>Dassault Aviation Model MYSTERE-FALCON 900 airplanes.</td>
<td>M1853 has been embodied in production or in service through Dassault Service Bulletin F50–241.</td>
<td>M2083 or M3094 ² ......</td>
</tr>
<tr>
<td></td>
<td>Group 1: M1682 has been embodied in production or in service through Dassault Service Bulletin F900–182 ³</td>
<td>M5381 .................. Not applicable.</td>
</tr>
<tr>
<td></td>
<td>Group 2: M1682 has been embodied in production or in service through Dassault Service Bulletin F900–182 and Modification M1947 is embodied in production or in service through Dassault Service Bulletin F900–176 ⁴</td>
<td>M5386 .................. Not applicable.</td>
</tr>
<tr>
<td>Dassault Aviation Model FALCON 900EX airplanes.</td>
<td>M1853 has been embodied in production or in service through Dassault Service Bulletin F50–241.</td>
<td>M5381 .................. Not applicable.</td>
</tr>
<tr>
<td></td>
<td>Group 1: M1682 has been embodied in production or in service through Dassault Service Bulletin F900EX–025 ⁵</td>
<td>M5103 or M5386 ...... Not applicable.</td>
</tr>
<tr>
<td></td>
<td>Group 2: M1682 has been embodied in production or in service through Dassault Service Bulletin F900EX–19 ⁶</td>
<td></td>
</tr>
</tbody>
</table>

---

¹ Except airplanes modified through:
### FIGURE 1 TO PARAGRAPH (C) OF THIS AD—APPLICABILITY—Continued

<table>
<thead>
<tr>
<th>Airplanes</th>
<th>Configuration</th>
<th>≤Except airplanes modified through:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dassault Aviation Model FALCON 2000 airplanes.</td>
<td>M331 has been embodied in production or in service through Dassault Service Bulletin F2000–44. M1802 has been embodied in production</td>
<td>1The excluded airplanes, as specified in figure 1 to paragraph (c) of this AD—Applicability, embody either one modification in production or one service bulletin in service, as applicable.</td>
</tr>
</tbody>
</table>

(a) Airworthiness Directives


(b) Service Information and Action

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

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dassault Service Bulletin F2000EX–285, Revision 1 (also referred to as 285–R1), dated January 26, 2015.</td>
<td>(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.</td>
<td>(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (k)(3) and (k)(4) of this AD.</td>
<td>(2) Dassault Service Bulletin F900EX–285, Revision 1 (also referred to as 285–R1), dated January 26, 2015.</td>
</tr>
</tbody>
</table>

(c) 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.

(d) Subject

Air Transport Association (ATA) of America Code 33, Lights.

(e) Reason

This AD was prompted by a report of an in-flight lightning strike to the WHELEN anti-collision light located on the top of the vertical fin tip that caused severe damage and resulted in the loss of some airplane functions. We are issuing this AD to prevent loss of electrical power and essential airplane functions, and possible reduced control of the airplane.

(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 anti-collision light bonding, in accordance with the Accomplishment Instructions of the applicable service information specified in paragraphs (g)(1) through (g)(7) of this AD.

(1) For Model MYSTERE–FALCON 50 airplanes: Dassault Service Bulletin F50–481, Revision 1 (also referred to as 481–R1), dated January 26, 2015.

(2) For Model MYSTERE–FALCON 900 airplanes with the WHELEN system installed on the vertical fin tip: Dassault Service Bulletin F900–372, Revision 1 (also referred to as 372–R1), dated January 26, 2015.


(4) For Model FALCON 900EX airplanes with the WHELEN system installed on the vertical fin tip: Dassault Service Bulletin F900EX–305, Revision 1 (also referred to as 305–R1), dated January 26, 2015.


(h) Credit for Previous Actions

This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using the applicable service information identified in paragraphs (h)(1) through (h)(7) of this AD.


(i) Other FAA AD Provisions

The following provisions also apply to this AD:


(2) Contacting the Manufacturer: For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the EASA; or Dassault Aviation’s EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(j) Related Information


(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (k)(3) and (k)(4) of this AD.

(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 this AD specifies otherwise.

(3) For service information identified in this AD, contact Dassault Falcon Jet Corporation, Teterboro Airport, P.O. Box 2009, South Hackensack, NJ 07606; telephone 201–440–6700; Internet http://www.dassaultfalcon.com.
Airworthiness Directives; The Boeing Identifier 2015–NM–115–AD; Amendment [Docket No. FAA–2016–3703; Directorate
14 CFR Part 39

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 39

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 767–200, –300, and –400ER series airplanes. This AD was prompted by an evaluation by the design approval holder (DAH) indicating that the skin lap splice is subject to widespread fatigue damage (WFD). This AD requires repetitive external detailed and surface high frequency eddy current (HFEC) inspections of the outer skin for cracking around fastener heads common to the inboard fastener row of the skin lap splice and corrective action. We are issuing this AD to detect and correct fatigue cracking of the skin lap splice, which could grow and result in possible rapid decompression and reduced structural integrity of the airplane.

DATES: This AD is effective November 22, 2016.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 22, 2016.


Issued in Renton, Washington, on September 14, 2016.

Michael Kaszycki,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2016–22832 Filed 10–17–16; 8:45 am]
BILLING CODE 4910–13–P

Federal Register
Vol. 81, No. 201 / Tuesday, October 18, 2016 / Rules and Regulations 71589

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM and the FAA’s response to each comment. Boeing stated that it supports the NPRM.

Effect of Winglets on Accomplishment of the Proposed Actions

Aviation Partners Boeing stated that accomplishing the supplemental type certificate (STC) ST01920SE does not affect the actions specified in the NPRM.

We concur with the commenter. We have redesignated paragraph (c) of this AD as (c)(1) and added new paragraph (c)(2) to this AD to state that installation of STC ST01920SE does not affect the ability to accomplish the actions required by this final rule. Therefore, for airplanes on which STC ST01920SE is installed, a “change in product” alternative method of compliance (AMOC) approval request is not necessary to comply with the requirements of 14 CFR 39.17.

Request To Revise the Compliance Time for the Repetitive Inspection Intervals

United Airlines (UAL) requested that we revise the repetitive inspection intervals for any repair accomplished using the structural repair manual (SRM) specified in Part 2 of Boeing Alert Service Bulletin 767–53A0260, dated August 26, 2014. UAL commented that a Zone B repair is Category B, and per the SRM inspections, the airplanes would have an initial inspection at 25,000 total flight cycles after airplane delivery. UAL stated that the initial inspection compliance time for the proposed rule is 40,000 total flight cycles, and if a repair is accomplished at this time, it is already over the initial inspection threshold specified in the SRM.

We agree with the commenter’s request. There is a conflict between the initial inspection thresholds in Boeing Alert Service Bulletin 767–53A0260, dated August 26, 2014, and the Category B repair specified in the SRM. We are working with Boeing to revise the conflicting compliance times for the SRM repairs. We have added a new paragraph (h) in this AD, which provides clarification that the post-repair damage tolerance inspections are not required by this AD, but are airworthiness limitations (ALIs), and those inspections are required by maintenance and operational rules. Any deviation from the post-repair ALI inspections will need FAA approval,