

**(k) Related Information**

(1) For more information about this AD, contact Michael Schwetz, Aviation Safety Engineer, Boston ACO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238-7761; fax: (781) 238-7199; email: [michael.schwetz@faa.gov](mailto:michael.schwetz@faa.gov).

(2) For service information identified in this AD, contact Hamilton Sundstrand, 1 Hamilton Road, Windsor Locks, CT 06096-1010; phone: (877) 808-7575; email: [CRC@collins.com](mailto:CRC@collins.com). You may view this referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (781) 238-7759.

Issued on February 8, 2021.

**Lance T. Gant,**

*Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

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

[Docket No. FAA-2005-21679; Directorate Identifier 2004-SW-33-AD]

RIN 2120-AA64

**Airworthiness Directives; Robinson Helicopter Company Model R22 Series Helicopters**

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

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** The FAA is withdrawing a notice of proposed rulemaking (NPRM) that proposed to adopt a new airworthiness directive (AD) that would have applied to Robinson Helicopter Company (RHC) Model R22 series helicopters. The NPRM was prompted by an in-flight break up of a helicopter on which both teeter stop brackets (brackets) failed. The NPRM would have required replacing each main rotor blade (blade) droop and teeter stop (stop) and bracket and associated hardware with redesigned and improved airworthy parts. Since issuance of the NPRM, the FAA has determined that failure of the brackets was caused by turbulence and other factors that are addressed in AD 95-26-04. Accordingly, the NPRM is withdrawn.

**DATES:** The FAA is withdrawing the proposed rule published June 28, 2005 (70 FR 37059), as of February 25, 2021.

**ADDRESSES:**

**Examining the AD Docket**

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2005-21679; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD action, any comments received, and other information. The street address for Docket Operations is 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:**

James Guo, Aviation Safety Engineer, Los Angeles ACO Branch, FAA, 3960 Paramount Blvd., Lakewood, California 90712; telephone 562-627-5357; email [james.guo@faa.gov](mailto:james.guo@faa.gov).

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

The FAA has issued an NPRM that proposed to amend 14 CFR part 39 by adding an AD that would apply to the specified products. The NPRM was published in the **Federal Register** on June 28, 2005 (70 FR 37059). The NPRM was prompted by an accident that involved an in-flight breakup of a helicopter that had old part-numbered stops and brackets installed. While the probable cause of the in-flight breakup had not been determined, the FAA believed failure of the stops or brackets may have been a contributing factor. Accordingly, the NPRM proposed to require replacing the stops and brackets with redesigned, airworthy parts. The proposed actions were intended to prevent failure of the stops and brackets, blade contact with the airframe, and subsequent loss of control of the helicopter.

**Actions Since the NPRM Was Issued**

Since issuance of the NPRM, the FAA has determined that the unsafe condition was caused by different factors than those stated in the NPRM. Previously, RHC had introduced service information to replace the stops and brackets that were the subject of the NPRM with redesigned parts. The redesign introduced a material change from aluminum to stainless steel. However, the redesigned parts were mistakenly evaluated as a change that would address the unsafe condition. It has since been determined that the strength increase in the redesign is insignificant and would not have improved the outcome of the accident. It has also been determined that the accident was caused by mast bumping,

which is addressed in AD 95-26-04 (60 FR 66487, December 22, 1995) (AD 95-26-04). Therefore, the FAA has determined that AD action is not required and the NPRM is withdrawn.

Withdrawal of the NPRM constitutes only such action and does not preclude the FAA from further rulemaking on this issue, nor does it commit the FAA to any course of action in the future.

**Comments**

The FAA gave the public the opportunity to comment on the NPRM. The following presents the comments received on the NPRM and the FAA's response to each comment.

**Requests**

One commenter stated that the stops and droops could not have contributed to the accident as contact with those items occurs only when operating a Model R22 helicopter outside of its certificated flight envelope, accordingly making it an operational issue. The commenter requested the FAA table the proposed AD until the accident investigation is complete.

The FAA acknowledges the commenter's request. The FAA further determined that the unsafe condition was caused by mast bumping, which is addressed in AD 95-26-04. Because the FAA is withdrawing the NPRM and has issued AD 95-26-04, the commenter's request is no longer necessary.

A second commenter requested that the proposed action be modified by inclusion of the following or similar statement: "The requirement to install certain part-numbered specific parts shall be interpreted broadly to include any replacements parts approved under FAR 21.303 for the original equipment parts cited in this action. Nothing in this action prevents or precludes the installation of such alternatively approved parts."

The FAA acknowledges the commenter's request. However, because the FAA is withdrawing the NPRM, the commenter's request is no longer necessary.

**FAA's Conclusions**

Upon further consideration of the available information, the FAA has determined that the NPRM is unnecessary. Accordingly, the NPRM is withdrawn.

**Regulatory Findings**

Since this action only withdraws an NPRM, it is neither a proposed nor a final rule. This action therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT

Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### The Withdrawal

■ Accordingly, the notice of proposed rulemaking, Docket No. FAA–2005–21679, Directorate Identifier 2004–SW–33–AD, which was published in the **Federal Register** on June 28, 2005 (70 FR 37059), is withdrawn.

Issued on February 4, 2021.

**Gaetano A. Sciortino,**

*Deputy Director for Strategic Initiatives, Compliance & Airworthiness Division, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2013–0751; Directorate Identifier 2012–SW–051–AD]

RIN 2120–AA64

#### **Airworthiness Directives; AgustaWestland S.p.A. (Type Certificate Formerly Held by Agusta S.p.A) (Agusta) Helicopters**

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

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** The FAA is withdrawing a notice of proposed rulemaking (NPRM) that proposed to supersede Airworthiness Directive (AD) 2011–18–52, which applies to certain Agusta Model AB139 and AW139 helicopters. AD 2011–18–52 requires establishing a revised life limit for each tail rotor blade (blade), updating the existing historical records for your helicopter, repetitively inspecting each blade for a crack, and replacing certain blades. The NPRM was prompted by the manufacturer developing an improved blade using different materials and establishing life limits for those newly-designed blades. The NPRM proposed to require expanding the applicability to include the newly-designed blades and establish their life limits, and proposed to retain the requirement to inspect each blade for a crack and, if there is a crack, replace each blade with an airworthy blade. Since issuance of the NPRM, the FAA has determined that the NPRM does not adequately address the

identified unsafe condition. Accordingly, the NPRM is withdrawn.

**DATES:** The FAA is withdrawing the proposed rule published September 5, 2013 (78 FR 54596), as of February 25, 2021.

#### **ADDRESSES:**

#### **Examining the AD Docket**

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2013–0751; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD action, the European Aviation Safety Agency (now European Union Aviation Safety Agency (EASA) AD, any comments received, and other information. The street address for Docket Operations is 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:** Matt Fuller, AD Program Manager, Operational Safety Branch, Airworthiness Products Section, General Aviation & Rotorcraft Unit, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone 817–222–5110; email [matthew.fuller@faa.gov](mailto:matthew.fuller@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **Discussion**

The FAA issued an NPRM to amend 14 CFR part 39 to supersede AD 2011–18–52, Amendment 39–17020 (77 FR 23109, April 18, 2012) (AD 2011–18–52). AD 2011–18–52 applies to Agusta Model AB139 and AW139 helicopters with a blade part number (P/N) 3G6410A00131 or P/N 4G6410A00131 installed. AD 2011–18–52 requires establishing a revised life limit for each blade, updating the existing historical records for your helicopter, repetitively inspecting each blade for a crack, and replacing certain blades. The NPRM published in the **Federal Register** on September 5, 2013 (78 FR 54596). The NPRM was prompted by the manufacturer first developing two new blades with an improved design and specified life limits and repetitive inspections for the blades. Also, EASA issued AD No. 2012–0030, dated February 17, 2012, which superseded EASA EAD No. 2011–0156–E, dated August 25, 2011, to add the new blades to the required actions. The manufacturer then developed two new blades with improved materials and specified new life limits and inspections for the blades. EASA then issued EASA

AD No. 2012–0076, dated May 2, 2012, revised by EASA AD No. 2012–0076R1, dated July 13, 2012 (EASA AD No. 2012–0076R1), to require the repetitive inspections and reduced life limits on the additional new blades.

#### **Actions Since the NPRM Was Issued**

After issuance of the NPRM, EASA issued EASA AD No. 2012–0076R2, dated February 20, 2014, which revises EASA AD No. 2012–0076R1, to remove the repetitive 25 flight-hour inspections for blades P/N 3G6410A00132, P/N 4G6410A00132, P/N 3G6410A00133, and P/N 4G6410A00133 and extend the life limits for T/R blades P/N 3G6410A00133 and P/N 4G6410A00133. Additionally, EASA advised that the life limits for T/R blades P/N 3G6410A00132 and P/N 4G6410A00132 have been incorporated in the Chapter 4 airworthiness limitations section of the maintenance manual. Further, since the FAA issued the NPRM, a significant amount of time has elapsed, which would require the FAA to reopen the comment period to allow the public an opportunity to comment on the proposed actions. Accordingly, the FAA has determined the NPRM does not adequately address the identified unsafe condition and has determined to withdraw the published NPRM and proceed with a separate rulemaking to address this unsafe condition.

Withdrawal of the NPRM constitutes only such action and does not preclude the FAA from further rulemaking on this issue, nor does it commit the FAA to any course of action in the future.

#### **Comments**

The FAA gave the public the opportunity to comment on the NPRM. The FAA received comments from one commenter.

One commenter requested the FAA adjust the life limit for certain part-numbered blades to be more consistent with aviation standard practices and gave the examples of “3 years since initial installation” and “5 years since manufacture.” Since the FAA is withdrawing the NPRM, the commenter’s request to adjust the compliance time is no longer necessary.

#### **FAA’s Conclusions**

Upon further consideration, the FAA has determined that the NPRM does not adequately address the identified unsafe condition and the unsafe condition will be addressed in a separate AD. Accordingly, the NPRM is withdrawn.