

carriers, are defined by the Small Business Administration (SBA) as those having annual receipts of less than \$7,000,000, and small agricultural producers are defined as those having annual receipts of less than \$750,000 (13 CFR 121.201).

The industry estimates there are approximately 7,500 apple producers in the U.S. The National Agricultural Statistics Service reports the 2012 apple crop was valued at nearly \$3.1 billion. Assuming a normal distribution, most apple producers can be classified as small entities. According to industry statistics, there are approximately 60 apple exporters subject to regulation under the Act. Foreign Agricultural Service data estimates the value of fresh apple exports to Canada at approximately \$190 million. Assuming a normal distribution, the majority of apple exporters are small businesses. Based on the above calculations, it can be concluded that the majority of apple producers and exporters may be classified as small entities.

This rule is issued under the authority of the Export Apple Act, as amended (7 U.S.C. 584). This rule continues in effect a rule that revised "Regulations Issued Under Authority of the Export Apple Act" (7 CFR part 33). In accordance with the provisions of section 10009 of the Agricultural Act of 2014, this action exempts apples shipped to Canada in bulk containers from the minimum requirements and inspection provisions issued under the Act. This action also adds the definition of "bulk container" as a container that contains a quantity of apples weighing more than 100 pounds.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the information collection requirements have been previously approved by the Office of Management and Budget (OMB) and assigned OMB No. 0581-0143 (Export Fruit Regulations). No changes in those requirements as a result of this action are necessary. Should any changes become necessary, they would be submitted to OMB for approval.

This rule will not impose any additional reporting or recordkeeping requirements on either small or large apple shippers, exporters, or carriers.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

USDA has not identified any relevant Federal rules that duplicate, overlap or conflict with this final rule.

Comments on this interim rule were required to be received on or before June 3, 2014. No comments were received. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule, without change.

To view the interim rule, go to: <http://www.regulations.gov/#/documentDetail;D=AMS-FV-14-0022-0001>.

After consideration of all relevant material presented, it is found that finalizing the interim rule, without change, as published in the **Federal Register** (79 FR 18765, April 4, 2014) will tend to effectuate the declared policy of the Act.

List of Subjects in 7 CFR Part 33

Apples, Exports, Reporting and recordkeeping requirements.

PART 33—REGULATIONS ISSUED UNDER AUTHORITY OF THE EXPORT APPLE ACT

Accordingly, the interim rule that amended 7 CFR part 33 and that was published at 79 FR 18765 on April 4, 2014, is adopted as a final rule, without change.

Dated: August 20, 2014.

Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2014-20116 Filed 8-22-14; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2014-0573; Directorate Identifier 2014-NM-091-AD; Amendment 39-17955; AD 2014-17-02]

RIN 2120-AA64

Airworthiness Directives; Honeywell ASCa Inc. Emergency Locator Transmitters Installed on Various Transport Category Airplanes

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

ACTION: Final rule; request for comments.

SUMMARY: We are superseding Airworthiness Directive (AD) 2013-18-09 for certain Honeywell ASCa Inc. emergency locator transmitters (ELTs) installed on various transport category airplanes. AD 2013-18-09 required various one-time general visual inspections of the ELT transmitter units

(TUs), and corrective actions if necessary. This new AD corrects the manufacturer's name in the AD applicability and adds a source of approval for an installation. AD 2013-18-09 was prompted by a fire on a parked and unoccupied airplane; preliminary information indicated combustion in the area of the ELT TU. This new AD was prompted by the identification of an error in the applicability of AD 2013-18-09. We are issuing this AD to detect and correct discrepancies of the battery wiring installation inside the TU, which could result in an electrical short and possible ignition source.

DATES: This AD becomes effective September 9, 2014.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 3, 2013 (78 FR 57253, September 18, 2013).

We must receive comments on this AD by October 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.
- **Mail:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- **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, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For Honeywell service information identified in this AD, contact Honeywell ASCa Inc., Customer and Product Support, Customer Support Operations, 3333 Unity Drive, Mississauga, ON, Canada L5L 3S6; telephone: 800-601-3099 (toll-free U.S.A./Canada); telephone: 602-365-3099 (international) email: AeroR&OAvionics@honeywell.com; Internet: www.myaerospace.com.

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 view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. 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> by searching for and locating Docket No. FAA–2014–0573; 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, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations 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:

Assata Dessaline, Aerospace Engineer, Avionics and Services Branch, ANE–172, FAA, New York Aircraft Certification Office (ACO), 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7301; fax 516–794–5531.

SUPPLEMENTARY INFORMATION:

Discussion

On September 6, 2013, we issued AD 2013–18–09, Amendment 39–17582 (78 FR 57253, September 18, 2013). AD 2013–18–09 applied to certain Honeywell ASCa Inc. ELTs installed on various transport category airplanes. AD 2013–18–09 was prompted by a fire on a parked and unoccupied airplane; preliminary information indicated combustion in the area of the ELT TU. AD 2013–18–09 required various one-time general visual inspections of the ELT TUs, and corrective actions if necessary. We issued AD 2013–18–09 to detect and correct discrepancies of the battery wiring installation inside the TU, which could result in an electrical short and possible ignition source.

Since we issued AD 2013–18–09, Amendment 39–17582 (78 FR 57253, September 18, 2013), we discovered a typographical error in the applicability. Paragraph (c) of AD 2013–18–09 identified ELTs manufactured by “Honeywell ASCs Inc.” The correct name for the manufacturer is Honeywell ASCa Inc. In all other locations in AD 2013–18–09, the manufacturer’s name was correct. This error has been corrected in this AD. We have revised paragraph (c) of this AD accordingly.

Although we have revised the compliance time for the ELT TU inspections (as specified in paragraph (g) of this AD and AD 2013–18–09, Amendment 39–17582 (78 FR 57253, September 18, 2013)), no further work is required for airplanes in compliance with the requirements of AD 2013–18–09.

We have revised the compliance language in paragraphs (k)(1), (k)(2), and (k)(3) of this AD to start from the effective date of this AD.

FAA’s Determination and Requirements of This AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced in AD 2013–18–09, Amendment 39–17582 (78 FR 57253, September 18, 2013). We are issuing this AD because we evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

FAA’s Determination of the Effective Date

Since this AD merely corrects a typographical error in the applicability of AD 2013–18–09, Amendment 39–17582 (78 FR 57253, September 18, 2013), and includes another source of approval for an installation, notice and opportunity for public comment before issuing this AD 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–2014–0573; Directorate Identifier 2014–NM–091–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 affects 3,832 ELTs installed on transport category airplanes of U.S. registry. We estimate the following costs to comply with this AD:

The actions that were required by AD 2013–18–09, Amendment 39–17582 (78 FR 57253, September 18, 2013), and are retained in this AD, take about 1 work-hour per product, at an average labor rate of \$85 per work-hour. Based on these figures, the estimated cost of the actions required by AD 2013–18–09 on U.S. operators is \$325,720, or \$85 per product.

We have received no definitive data that would enable us to provide cost estimates for additional required actions, as the time required to accomplish those actions is specific to the airplane.

The changes included in this AD add no additional economic burden.

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 removing Airworthiness Directive (AD) 2013–18–09, Amendment 39–17582 (78 FR 57253, September 18, 2013), and adding the following new AD:

2014–17–02 Honeywell ASCa Inc.:

Amendment 39–17955. Docket No. FAA–2014–0573; Directorate Identifier 2014–NM–091–AD.

(a) Effective Date

This AD becomes effective September 9, 2014.

(b) Affected ADs

This AD replaces AD 2013–18–09, Amendment 39–17582 (78 FR 57253, September 18, 2013).

(c) Applicability

This AD applies to Honeywell ASCa Inc. emergency locator transmitters (ELTs) Model RESCU 406AF and 406AFN with transmitter unit (TU) part numbers (P/Ns) 1152682–1, –2, and –3, installed on transport category airplanes, certificated in any category, but not limited to the airplanes identified in table 1 to paragraph (c) of this AD.

TABLE 1 TO PARAGRAPH (C) OF THIS AD—AFFECTED AIRPLANE MODELS

Manufacturer	Airplane model
(1) The Boeing Company	(i) 717–200 airplanes. (ii) 727, 727C, 727–100, 727–100C, 727–200, and 727–200F series airplanes. (iii) 737–100, –200, –200C, –300, –400, –500, –600, –700, –700C, –800, –900, and –900ER series airplanes. (iv) 747–100, –100B, –100B SUD, –200B, –200C, –200F, –300, –400, –400D, and –400F series airplanes; and 747SR, 747SP, 747–8F, and 747–8 series airplanes. (v) 757–200, –200PF, –200CB, and –300 series airplanes. (vi) 767–200, –300, –300F, and –400ER series airplanes. (vii) 777–200, –200LR, –300, –300ER, and 777F series airplanes. (viii) 787–8 airplanes. (ix) MD–11 and MD–11F airplanes. (x) DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), and DC–9–87 (MD–87) airplanes. (xi) MD–88 airplanes. (xii) MD–90–30 airplanes. 382, 382B, 382E, 382F, 382G, and 382J airplanes.
(2) Lockheed Martin Corporation/Lockheed Martin Aeronautics Company.	
(3) Airbus	(i) A300 B2–1A, B2–1C, B2K–3C, B2–203, B4–2C, B4–103, and B4–203 airplanes. (ii) A300 B4–601, B4–603, B4–620, and B4–622 airplanes. (iii) A300 B4–605R and B4–622R airplanes. (iv) A300 F4–605R and F4–622R airplanes. (v) A300 C4–605R Variant F airplanes. (vi) A310–203, –204, –221, –222, –304, –322, –324, and –325 airplanes. (vii) A320–111, –211, –212, –214, –231, –232, and –233 airplanes. (viii) A321–111, –112, –131, –211, –212, –213, –231, and –232 airplanes. (ix) A330–223F and –243F airplanes. (x) A330–201, –202, –203, –223, and –243 airplanes. (xi) A330–301, –302, –303, –321, –322, –323, –341, –342, and –343 airplanes. (xii) A340–211, –212, and –213 airplanes. (xiii) A340–311, –312, and –313 airplanes. (xiv) A340–541 airplanes. (xv) A340–642 airplanes. (xvi) A380–800 series airplanes.
(4) ATR—GIE Avions de Transport Régional	(i) ATR42–200, –300, –320, and –500 airplanes. (ii) ATR72–101, –201, –102, –202, –211, –212, and –212A airplanes.
(5) Dassault Aviation	FALCON 7X airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 23, Communications.

(e) Reason

This AD was prompted by a fire on a parked and unoccupied airplane; preliminary information indicated combustion in the area of the ELT TU. We are issuing this AD to detect and correct discrepancies of the battery wiring installation inside the TU, which could result in an electrical short and possible ignition source.

(f) Compliance

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

(g) Retained Inspection With New Compliance Time

This paragraph restates the requirements of paragraph (g) of AD 2013–18–09, Amendment 39–17582 (78 FR 57253, September 18, 2013), with a new compliance time. For any ELT TU with any serial number identified in paragraph 1.A., “Effectivity,” including the serial numbers identified in the

Note in paragraph 1.A., of Honeywell Alert Service Bulletin 1152682–23–A22, Revision 1, dated August 8, 2013: Within 120 days after the effective date of this AD, do the actions specified in paragraphs (g)(1) and (g)(2) of this AD.

(1) Remove the TU from the airplane.
(2) Do one-time general visual inspections of the ELT TU, in accordance with the Accomplishment Instructions of Honeywell Alert Service Bulletin 1152682–23–A22, Revision 1, dated August 8, 2013.

(h) Retained TU/Battery Pack Return Provisions With New Compliance Time

This paragraph restates the requirements of paragraph (h) of AD 2013-18-09, Amendment 39-17582 (78 FR 57253, September 18, 2013), with a new compliance time. During any inspection required by this AD, if any discrepancy is found that is unacceptable or exceeds limits as specified in Honeywell Alert Service Bulletin 1152682-23-A22, Revision 1, dated August 8, 2013: At the applicable time specified in paragraph (h)(1) or (h)(2) of this AD, return the TU or battery pack, as applicable, to Honeywell ASCa Inc., Customer and Product Support, Customer Support Operations, 3333 Unity Drive, Mississauga, ON, Canada L5L 3S6; telephone: 800-601-3099 (toll-free U.S.A./Canada); telephone: 602-365-3099 (international) email: AeroR&OAvionics@honeywell.com; Internet: www.myaerospace.com.

(1) If the inspection was done on or after the effective date of this AD: Within 10 days after the inspection.

(2) If the inspection was done before the effective date of this AD: Within 10 days after the effective date of this AD.

(i) Retained Post-Inspection Actions With No Changes

This paragraph restates the requirements of paragraph (i) of AD 2013-18-09, Amendment 39-17582 (78 FR 57253, September 18, 2013), with no changes. Before further flight after accomplishing the actions required by paragraph (g) of this AD: Perform all applicable return to service actions, in accordance with the Accomplishment Instructions of Honeywell Alert Service Bulletin 1152682-23-A22, Revision 1, dated August 8, 2013. Install a TU that is identified in paragraph 3.F.(2) or 3.F.(3) of Honeywell Alert Service Bulletin 1152682-23-A22, Revision 1, dated August 8, 2013.

(j) Retained Parts Installation Limitations With Revised Installation Method Approval

This paragraph restates the limitations specified by paragraph (j) of AD 2013-18-09, Amendment 39-17582 (78 FR 57253, September 18, 2013), with a revised installation method approval. After installation or replacement of the TU as required by this AD or as specified in paragraph (k) of this AD, no person may install an ELT TU battery unless it is installed using a method approved by either the Manager, New York ACO, FAA; or TCCA (or its delegated agent).

(k) Retained Acceptable Prior Actions for Certain Airplanes

This paragraph restates the provisions specified by paragraph (k) of AD 2013-18-09, Amendment 39-17582 (78 FR 57253, September 18, 2013), with revised compliance language.

(1) For The Boeing Company Model 787-8 airplanes identified in AD 2013-15-07, Amendment 39-17523 (78 FR 45054, July 26, 2013): Accomplishment of the applicable requirements of AD 2013-15-07 before the effective date of this AD, is acceptable for compliance with the requirements of paragraphs (g), (h), and (i) of this AD.

(2) This paragraph provides credit for the applicable actions required by paragraphs (g), (h), and (i) of this AD, if those actions were performed before the effective date of this AD, using Honeywell Alert Service Bulletin 1152682-23-A22, dated August 1, 2013, which is not incorporated by reference in this AD.

(3) This paragraph provides credit for the actions required by paragraphs (g), (h), and (i) of this AD, if the applicable actions specified in the service information identified in paragraphs (k)(3)(i) through (k)(3)(vi) of this AD were performed before the effective date of this AD, using the applicable service information identified in paragraphs (k)(3)(i) through (k)(3)(vi) of this AD. This service information is not incorporated by reference in this AD.

(i) For The Boeing Company Model 717-200 airplanes: Boeing Multi Operator Message MOM-MOM-13-0597-01B, dated July 28, 2013.

(ii) For The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes: Boeing Multi Operator Message MOM-MOM-13-0593-01B, dated July 28, 2013.

(iii) For The Boeing Company Model 747-400, -400D, and -400F series airplanes: Boeing Multi Operator Message MOM-MOM-13-0594-01B, dated July 28, 2013.

(iv) For The Boeing Company Model 767 airplanes: Boeing Multi Operator Message MOM-MOM-13-0595-01B, dated July 28, 2013.

(v) For The Boeing Company Model 777 airplanes: Boeing Multi Operator Message MOM-MOM-13-0596-01B, dated July 28, 2013.

(vi) For The Boeing Company Model 787-8 airplanes: Boeing Multi Operator Message MOM-MOM-13-0570-01B, dated July 19, 2013; or Boeing Multi Operator Message MOM-MOM-13-0590-01B, dated July 26, 2013.

(l) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, New York ACO, ANE-170, 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 ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531. 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. The AMOC approval letter must specifically reference this AD. AMOCs approved previously for AD 2013-18-09, Amendment 39-17582 (78 FR 57253, September 18, 2013), are approved as AMOCs for the corresponding provisions of this AD.

(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.

(m) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF-2013-25, dated August 15, 2013, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2014-0573.

(2) Boeing service information identified in this AD that is not incorporated by reference may be obtained from 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>.

(3) Honeywell service information identified in this AD that is not incorporated by reference is available at the addresses identified in paragraphs (n)(4) and (n)(5) of this AD.

(n) 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) The following service information was approved for IBR on October 3, 2013 (78 FR 57253, September 18, 2013).

(i) Honeywell Alert Service Bulletin 1152682-23-A22, Revision 1, dated August 8, 2013.

(ii) Reserved.

(4) For Honeywell service information identified in this AD, contact Honeywell ASCa Inc., Customer and Product Support, Customer Support Operations, 3333 Unity Drive, Mississauga, ON, Canada L5L 3S6; telephone: 800-601-3099 (toll-free U.S.A./Canada); telephone: 602-365-3099 (international) email: AeroR&OAvionics@honeywell.com; Internet: www.myaerospace.com.

(5) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(6) 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 August 13, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate,
Aircraft Certification Service.

[FR Doc. 2014-19978 Filed 8-22-14; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2014-0077; Directorate Identifier 2013-CE-021-AD; Amendment 39-17941; AD 2014-16-17]

RIN 2120-AA64

Airworthiness Directives; Air Tractor, Inc. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2010-17-18 R1, which applies to certain Air Tractor, Inc. Models AT-802 and AT-802A airplanes. AD 2010-17-18 R1 required repetitively inspecting (using the eddy current method) the two outboard fastener holes in both of the wing main spar lower caps at the center splice joint for cracks; repairing or replacing any cracked spar; changing the safe life for certain serial number ranges; and sending the inspection results, only if cracks are found, to the FAA. This new AD retains all actions of AD 2010-17-18 R1 and expands the applicability to include all serial numbers regardless of configuration or operational use. This AD was prompted by our determination that the safe life for the wing main spar lower caps should apply to all Models AT-802 and AT-802A airplanes regardless of configuration or operational use. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD is effective September 29, 2014.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of September 9, 2010 (75 FR 52255, August 25, 2010).

The Director of the Federal Register approved the incorporation by reference of certain other publications listed in this AD as of April 21, 2006 (71 FR 19994, April 19, 2006).

ADDRESSES: For service information identified in this AD, contact Air Tractor, Inc., P.O. Box 485, Olney, Texas 76374; telephone: (940) 564-5616; fax:

(940) 564-5612; email: airmail@airtractor.com; Internet: www.airtractor.com. You may review copies of the 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> by searching for and locating Docket No. FAA-2014-0077; 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:

Andrew McAnaul, Aerospace Engineer, ASW-150 (c/o San Antonio MIDO), 10100 Reunion Place, Suite 650, San Antonio, Texas 78216; phone: (210) 308-3365; fax: (210) 308-3370; email: andrew.mcanaul@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2010-17-18 R1, Amendment 39-16552 (75 FR 82219, December 30, 2010) ("AD 2010-17-18 R1"), for certain Air Tractor, Inc. Models AT-802 and AT-802A airplanes. The NPRM published in the **Federal Register** on February 12, 2014 (79 FR 8350). The NPRM was prompted by our determination that the safe life for the wing main spar lower caps should apply to all Models AT-802 and AT-802A airplanes regardless of configuration or operational use. The NPRM proposed to continue to require repetitively inspecting (using the eddy current method) the two outboard fastener holes in both of the wing main spar lower caps at the center splice joint for cracks; repairing or replacing any cracked spar; changing the safe life for certain serial number ranges; and sending the inspection results, only if cracks are found, to the FAA. The NPRM also proposed to expand the applicability to include all serial numbers regardless of configuration or operational use. We are issuing this AD

to correct the unsafe condition on these products.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comment received on the NPRM (79 FR 8350, February 12, 2014) and the FAA's response to that comment.

Request To Withdraw Proposed Rulemaking

David Ligon of Air Tractor, Inc. requested the FAA to withdraw the proposed AD.

David Ligon stated that he (Air Tractor, Inc.) believes the FAA does not have relevant information or objective evidence to establish that an unsafe condition is likely to exist or develop in Models AT-802 and AT-802A air tanker (fire-fighting) airplanes. Air Tractor, Inc. stated that the safe life of the wing on the land-based Models AT-802 and AT-802A air tanker airplanes far exceeds that of their agricultural application counterparts and will continue to work to establish an appropriate wing safe life.

Included with the comment from Air Tractor, Inc. were two graphs showing firebomber and agricultural airplane exceedance curves from a single Model AT-802 air tanker airplane, their validated Model AT-802 agricultural application airplane spectrum, and one set of generic air tanker and agricultural application exceedance curves from Report No. DOT/FAA/AR-05/035, Consolidation and Analysis of Loading Data in Firefighting Operations: Analysis of Existing Data and Definition of Preliminary Air Tanker and Lead Aircraft Spectra, which can be found on the Internet at <http://www.tc.faa.gov/its/worldpac/techrpt/ar05-35.pdf>, and FAA Advisory Circular 23-13A, which can be found on the internet at http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgAdvisoryCircular.nsf/0/CCAE8A15127D66408625708C00710BA4?OpenDocument&Highlight=23-13a, respectively.

Air Tractor, Inc. does not disagree that there is a need to establish a safe life for the wing main spar lower caps on all airplanes regardless of configuration or operational use. Air Tractor, Inc. also stated that they are concerned that issuing this AD will result in unneeded additional cost to the industry that could possibly hinder the establishment of an appropriate wing safe life in the future.

We do not agree with the commenter. The wing main spar centerline joint is a design detail that has demonstrated in-