

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2011-0058; Directorate Identifier 2010-CE-071-AD]

RIN 2120-AA64

### Airworthiness Directives; REIMS AVIATION S.A. Model F406 Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above that would supersede an existing AD. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

In early 2005, several reports had been received regarding discovery of cracks in rudder pulley brackets installed on Reims F406 aeroplanes. This pulley bracket, Part Number (P/N) 6015511-1, is installed on aeroplanes with the optional "Camera Hole" modification.

This condition, if not detected and corrected, could result in the loss of rudder control on the airplane.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by March 7, 2011.

**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 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Reims Aviation Industries, A rodrome de Reims Prunay, 51360 Prunay, France; telephone + 33 3 26 48 46 65; fax + 33 3 26 49 18 57; e-mail [Jn.siro@reims-aviation.fr](mailto:Jn.siro@reims-aviation.fr). 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>; 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 proposed 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:

Albert Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4119; fax: (816) 329-4090.

#### SUPPLEMENTARY INFORMATION:

#### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2011-0058; Directorate Identifier 2010-CE-071-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed 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 proposed AD.

#### Discussion

On January 12, 2007, we issued AD 2007-02-12, Amendment 39-14899 (72 FR 3047; January 24, 2007). That AD required actions intended to address an unsafe condition on the products listed above.

Since we issued AD 2007-02-12, REIMS AVIATION S.A. discovered that airplane serial number (SN) F406-0091 had inadvertently not been included in the service information and has revised the service information to correct the omission.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No.: 2010-0230, dated November 5, 2010 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

In early 2005, several reports had been received regarding discovery of cracks in rudder pulley brackets installed on Reims F406 aeroplanes. This pulley bracket, Part Number (P/N) 6015511-1, is installed on aeroplanes with the optional "Camera Hole" modification.

This condition, if not detected and corrected, could result in the loss of rudder control on the airplane.

To address this unsafe condition, DGAC France issued Emergency (Urgent) AD UF-2005-080, followed by the final AD F-2005-080, requiring repetitive inspections of the P/N 6015511-1 rudder pulley bracket and replacement of the bracket with a modified bracket, P/N 4061-2701-1, as terminating action.

Recently, Reims discovered that aeroplane s/n F406-0091 had inadvertently not been included in the SB and this has been revised to correct the omission.

For the reasons described above, this AD retains the requirements of DGAC France AD F-2005-080, which is superseded, and adds aeroplane s/n F406-0091 to the Applicability of the AD, by referencing Revision 2 of the Reims Aviation Industries SB F406-58.

You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

Reims Aviation S.A. has issued Reims Aviation Industries Service Bulletin No. F406-58, REV 1, dated October 27,

2006; and Reims Aviation Industries Service Bulletin No. F406–58, REV 2, dated July 27, 2010. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### FAA's Determination and Requirements of the Proposed 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 this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

#### Differences Between This Proposed AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a Note within the proposed AD.

#### Costs of Compliance

We estimate that this proposed AD will affect 7 products of U.S. registry. We also estimate that it would take about 11 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$750 per product.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$11,795, or \$1,685 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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 this proposed regulation:

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); and
3. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

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

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

#### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 Amendment 39–14899 (72 FR 3047; January 24, 2007), and adding the following new AD:

**Reims Aviation S.A.:** Docket No. FAA–2011–0058; Directorate Identifier 2010–CE–071–AD.

#### Comments Due Date

(a) We must receive comments by March 7, 2011.

#### Affected ADs

(b) This AD supersedes AD 2007–02–12, Amendment 39–14899.

#### Applicability

(c) This AD applies to Reims Aviation S.A. Model F406 airplanes, serial numbers (SNs) 0002, 0003, 0004, 0006, 0008, 0009, 0010, 0012, 0013, 0017, 0024, 0025, 0039, 0042, 0044, 0045, 0066, 0070, 0073, 0074, 0075, 0077, 0080 through 0092, certificated in any category.

#### Subject

(d) Air Transport Association of America (ATA) Code 27: Flight Controls.

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

In early 2005, several reports had been received regarding discovery of cracks in rudder pulley brackets installed on Reims F406 aeroplanes. This pulley bracket, Part Number (P/N) 6015511–1, is installed on aeroplanes with the optional "Camera Hole" modification.

This condition, if not detected and corrected, could result in the loss of rudder control on the airplane.

To address this unsafe condition, DGAC France issued Emergency (Urgent) AD UF–2005–080, followed by the final AD F–2005–080, requiring repetitive inspections of the P/N 6015511–1 rudder pulley bracket and replacement of the bracket with a modified bracket, P/N 4061–2701–1, as terminating action.

Recently, Reims discovered that aeroplane s/n F406–0091 had inadvertently not been included in the SB and this has been revised to correct the omission.

For the reasons discussed above, this AD retains the requirements of DGAC France AD F–2005–080, which is superseded, and adds aeroplane s/n F406–0091 to the Applicability of the AD, by referencing Revision 2 of the Reims Aviation Industries SB F406–58.

#### Actions and Compliance

(f) Unless already done, do the following actions:

(1) For all affected SNs except F406–0091:

(i) Within the next 10 hours time-in-service (TIS) after February 13, 2007 (the effective date retained from AD 2007–02–12), perform the initial inspection as specified in Reims Aviation Industries Service Bulletin No. F406–58, REV 1, dated October 27, 2006; or Reims Aviation Industries Service Bulletin No. F406–58, REV 2, dated July 27, 2010.

(ii) If no cracking is found following the initial inspection required in paragraph (f)(1)(i) of this AD, repetitively thereafter inspect every 50 hours TIS or 1 month, whichever occurs first, until the installation of the modified pulley bracket specified in paragraphs (f)(1)(iii) or (f)(1)(iv) of this AD is done.

(iii) If any cracking is found during the inspection required in paragraph (f)(1)(i) of this AD, before further flight, install the

modified pulley bracket as specified in Reims Aviation Industries Service Bulletin No. F406-58, REV 1, dated October 27, 2006; or Reims Aviation Industries Service Bulletin No. F406-58, REV 2, dated July 27, 2010. This installation terminates the repetitive inspections required in paragraph (f)(1)(ii) of this AD.

(iv) Within the next 100 hours TIS or 2 months after February 13, 2007 (the effective date retained from AD 2007-02-12), whichever occurs first, install the modified pulley bracket as specified in Reims Aviation Industries Service Bulletin No. F406-58, REV 1, dated October 27, 2006; or Reims Aviation Industries Service Bulletin No. F406-58, REV 2, dated July 27, 2010. This installation terminates the repetitive inspections required in paragraph (f)(1)(ii) of this AD.

(v) The modified pulley bracket specified in Reims Aviation Industries Service Bulletin No. F406-58, REV 1, dated October 27, 2006; or Reims Aviation Industries Service Bulletin No. F406-58, REV 2, dated July 27, 2010, may be installed at any time after the inspection required in paragraph (f)(1)(i) of this AD, as long as no cracking is found, but no later than the compliance time specified in paragraph (f)(1)(iv) of this AD. If cracking is found, it must be replaced before further flight as required in paragraph (f)(1)(iii) of this AD.

(2) *For serial number F406-0091:*

(i) Within the next 10 hours TIS after the effective of this AD, perform the initial inspection as specified in Reims Aviation Industries Service Bulletin No. F406-58, REV 2, dated July 27, 2010.

(ii) If no cracking is found following the initial inspection required in paragraph (f)(2)(i) of this AD, repetitively thereafter inspect every 50 hours TIS or 1 month, whichever occurs first, until the installation of the modified pulley bracket specified in paragraphs (f)(2)(iii) and (f)(2)(iv) of this AD is done.

(iii) If any cracking is found during the inspection required in paragraph (f)(2)(i) of this AD, before further flight, install the modified pulley bracket as specified in Reims Aviation Industries Service Bulletin No. F406-58, REV 2, dated July 27, 2010. This installation terminates the repetitive inspections required in paragraph (f)(2)(ii) of this AD.

(iv) Within the next 100 hours TIS or 2 months after the effective of this AD, whichever occurs first, install the modified pulley bracket as specified in Reims Aviation Industries Service Bulletin No. F406-58, REV 2, dated July 27, 2010. This installation terminates the repetitive inspections required in paragraph (f)(2)(ii) of this AD.

(v) The modified pulley bracket specified in Reims Aviation Industries Service Bulletin No. F406-58, REV 2, dated July 27, 2010, may be installed at any time after the inspection required in paragraph (f)(2)(i) of this AD as long as no cracking is found, but no later than the compliance time specified in paragraph (f)(2)(iv) of this AD. If cracking is found, it must be replaced before further flight as required in paragraph (f)(2)(iii) of this AD.

#### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: No differences.

#### Other FAA AD Provisions

(g) 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: Albert Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4119; fax: (816) 329-4090. 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 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.

(3) *Reporting Requirements:* For any reporting requirement in this AD, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave., SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES-200.

#### Related Information

(h) Refer to MCAI European Aviation Safety Agency (EASA) AD 2010-0230, dated November 5, 2010; Reims Aviation Industries Service Bulletin No. F406-58, REV 1, dated October 27, 2006; and Reims Aviation Industries Service Bulletin No. F406-58, REV 2, dated July 27, 2010, for related information. For service information related to this AD, contact Reims Aviation Industries, Aérodrôme de Reims Prunay, 51360 Prunay, France; telephone + 33 3 26 48 46 65; fax + 33 3 26 49 18 57; e-mail [Jn.siroat@reims-aviation.fr](mailto:Jn.siroat@reims-aviation.fr). 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.

Issued in Kansas City, Missouri, on January 14, 2011.

**John Colomy,**

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

[FR Doc. 2011-1221 Filed 1-20-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2011-0028; Directorate Identifier 2009-NM-228-AD]**

**RIN 2120-AA64**

### **Airworthiness Directives; The Boeing Company Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for certain Model 737-100, -200, -200C, -300, -400, and -500 series airplanes. This proposed AD would result in all airplanes having new relays with a ground fault interrupter (GFI) feature. This proposed AD would require, depending on airplane configuration, doing certain wiring changes, replacing the fuel pump power control relays for the main, center and auxiliary tanks, as applicable, with new relays having a GFI feature, performing certain bonding resistance measurements, and modifying relay module assemblies. The proposed AD also would require revising the maintenance program to incorporate Airworthiness Limitations (AWLs) 28-AWL-23 (for Model 737-100, 737-200, and 737-200C series airplanes), and 28-AWL-22 (for Model 737-300, 737-400, and 737-500 series airplanes). This proposed AD results from fuel system reviews conducted by the manufacturer. We are proposing this AD to prevent damage to the fuel pumps caused by electrical arcing that could introduce an ignition source in the fuel tank, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

**DATES:** We must receive comments on this proposed AD by March 7, 2011.

**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.