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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2010-0643; Directorate Identifier 2010-NM-030-AD; Amendment 39-16462; AD 2010-21-02]

RIN 2120-AA64

Airworthiness Directives; Bombardier, Inc. Model DHC-8 Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This 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:

The landing gear alternate extension system in the cockpit is accessible through an access panel located on the cockpit floor. There have been reports of failure of the access panel latch assembly as a consequence of repeated closure of the access panel involving the use of excessive force. Failure of the latch assembly can result in the access panel being jammed in the closed position, and require mechanical prying to open.

An undetected or uncorrected latch failure condition in the access panel can prevent immediate access to the landing gear alternate extension system by the flight crew during an emergency. * * *

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective November 12, 2010.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 12, 2010.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Craig Yates, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE-171, New York Aircraft Certification Office, FAA, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7355; fax (516) 794-5531.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the Federal Register on July 1, 2010 (75 FR 38064). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

The landing gear alternate extension system in the cockpit is accessible through an access panel located on the cockpit floor. There have been reports of failure of the access panel latch assembly as a consequence of repeated closure of the access panel involving the use of excessive force. Failure of the latch assembly can result in the access panel being jammed in the closed position, and require mechanical prying to open.

An undetected or uncorrected latch failure condition in the access panel can prevent immediate access to the landing gear alternate extension system by the flight crew during an emergency. This Directive requires the replacement of the existing latch assembly with a stronger modified latch assembly.

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

Relevant Service Information

Bombardier, Inc. issued Service Bulletin 8-32-166, Revision B, dated March 2, 2010. We cited Bombardier Service Bulletin 8-32-166, Revision A, dated January 29, 2009, in the NPRM. Bombardier Service Bulletin 8-32-166, Revision B, dated March 2, 2010, updates the References section and adds a Note to the Accomplishment Instructions section. We have changed paragraph (g) of this AD to specify Revision B of that service bulletin, and added Bombardier Service Bulletin 8-32-166, Revision A, dated January 29, 2009, to paragraph (h) of this AD.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received. Air Line Pilots Association, International, supports the NPRM. Hawaii Island Air, Piedmont Airlines, and Mesa Airlines request that we revise the NPRM to refer to Bombardier Service Bulletin 8-32-166, Revision B, dated March 2, 2010, as described previously.

Conclusion

We reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD with the changes described previously. We determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

Differences Between This 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 required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are highlighted in a NOTE within the AD.

Costs of Compliance

We estimate that this AD will affect about 198 products of U.S. registry. We also estimate that it will take about 3 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$815 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$211,860, or \$1,070 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 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); 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 AD and placed it in the AD docket.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; 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 the NPRM, 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.

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:



2010-21-02 Bombardier, Inc.: Amendment 39-16462. Docket No. FAA-2010-0643; Directorate Identifier 2010-NM-030-AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective November 12, 2010.

Affected ADs

- (b) None.

Applicability

(c) This AD applies to the airplanes identified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category.

(1) Bombardier, Inc. Model DHC-8-101, -102, -103, -106, -201, -202, -301, -311, and -315 airplanes, serial numbers 003 through 658 inclusive.

(2) Bombardier, Inc. Model DHC-8-400, -401, -402 airplanes, serial numbers 4001, 4003, 4004, 4006, and 4008 through 4187 inclusive.

Subject

- (d) Air Transport Association (ATA) of America Code 32: Landing gear.

Reason

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

The landing gear alternate extension system in the cockpit is accessible through an access panel located on the cockpit floor. There have been reports of failure of the access panel latch assembly as a consequence of repeated closure of the access panel involving the use of excessive force. Failure of the latch assembly can result in the access panel being jammed in the closed position, and require mechanical prying to open.

An undetected or uncorrected latch failure condition in the access panel can prevent immediate access to the landing gear alternate extension system by the flight crew during an emergency. * * *

Compliance

- (f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Actions

(g) Within 6,000 flight hours or 36 months after the effective date of this AD, whichever comes first: Replace the latch assembly of the access panel for the alternate extension system for the landing gear with a modified latch assembly, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 8-32-166, Revision B, dated March 2, 2010 (for Model DHC-8-100, DHC-8-200, and DHC-8-300 series airplanes); or Bombardier Service Bulletin 84-32-57, Revision A, dated June 15, 2009 (for Model DHC-8-400 series airplanes).

Credit for Actions Accomplished in Accordance With Previous Service Information

(h) Actions accomplished before the effective date of this AD in accordance with the service information identified in Table 1 of this AD are considered acceptable for compliance with the corresponding actions specified in this AD.

Table 1 – Previous service information

Bombardier Service Bulletin –	Revision –	Dated –
8-32-166	Original	April 14, 2008
8-32-166	A	January 29, 2009
84-32-57	Original	April 30, 2008

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

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

(1) Alternative Methods of Compliance (AMOCs): The Manager, New York Aircraft Certification Office, ANE-170, 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: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, New York, 11590; telephone 516-228-7300; fax 516-794-5531. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference 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.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

Related Information

(j) Refer to MCAI Canadian Airworthiness Directive CF-2009-46, dated December 14, 2009; Bombardier Service Bulletin 8-32-166, Revision B, dated March 2, 2010; and Bombardier Service Bulletin 84-32-57, Revision A, dated June 15, 2009; for related information.

Material Incorporated by Reference

(k) You must use Bombardier Service Bulletin 84-32-57, Revision A, dated June 15, 2009; or Bombardier Service Bulletin 8-32-166, Revision B, dated March 2, 2010; as applicable; to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; e-mail thd.qseries@aero.bombardier.com; Internet <http://www.bombardier.com>.

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

(4) You may also review copies of the 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/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on September 23, 2010.

Ali Bahrami,
Manager, Transport Airplane Directorate,
Aircraft Certification Service.