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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2013-0799; Directorate Identifier 2012-NM-153-AD; Amendment 39-17746; AD 2014-03-09]

RIN 2120-AA64

Airworthiness Directives; ATR–GIE Avions de Transport Régional Airplanes

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

ACTION: Final Rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain ATR–GIE Avions de Transport Régional Model ATR42 and Model ATR72 airplanes. This AD was prompted by reports of defective sealing between the nacelle lower fairing and the underwing box. This AD requires a one-time general visual inspection for damaged (worn, torn, or abraded) or missing seals between the nacelle lower fairing and the underwing box of both the left-hand and right-hand engine nacelles, and replacement of the seal and/or shims if necessary. We are issuing this AD to prevent the decrease of the fire extinguishing agent efficiency, which could delay fire extinction and allow fire propagation out of the nacelle fire protected area, resulting in damage to the airplane.

DATES: This AD becomes effective March 26, 2014.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of March 26, 2014.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov/#!docketDetail;D=FAA-2013-0799>; or in person at the Docket 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.

For service information identified in this AD, contact ATR–GIE Avions de Transport Régional, 1, Allée Pierre Nadot, 31712 Blagnac Cedex, France; telephone +33 (0) 5 62 21 62 21; fax +33 (0) 5 62 21 67 18; email continued.airworthiness@atr.fr; Internet <http://www.aerochain.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.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1137; fax 425-227-1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain ATR-GIE Avions de Transport Régional Model ATR42 and Model ATR72 airplanes. The NPRM published in the Federal Register on September 25, 2013 (78 FR 58967). The NPRM was prompted by reports of defective sealing between the nacelle lower fairing and the underwing box. The NPRM proposed to require a one-time general visual inspection for damaged (worn, torn, or abraded) or missing seals between the nacelle lower fairing and the underwing box of both the left-hand and right-hand engine nacelles, and replacement of the seal and/or shims if necessary. We are issuing this AD to prevent the decrease of the fire extinguishing agent efficiency, which could delay fire extinction and allow fire propagation out of the nacelle fire protected area, resulting in damage to the airplane.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2012-0160, dated August 24, 2012 (referred to after this as the Mandatory Continuing Airworthiness Information, or "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Some cases of defective sealing have been reported on in-service aeroplanes on Left-Hand (LH) and Right-Hand (RH), between the nacelle lower fairing and the underwing box.

Investigation results have shown that this issue was due to either damaged or missing seal and/or incorrect adjustment of the nacelle lower fairing.

This condition, if not detected and corrected, may decrease the extinguishing agent efficiency, delay the fire extinction and allow fire propagation out of the nacelle fire protected area, possibly resulting in damage to the aeroplane.

For the reasons described above, this [EASA] AD requires a one-time [general visual] inspection of the affected area [between the nacelle lower fairing and the underbox wing for damaged (worn, torn, or abraded) or missing seals] and, depending on findings, accomplishment of applicable corrective actions to restore the area integrity.

Corrective actions include replacing the seal and/or shims. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2013-0799-0002>.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (78 FR 58967, September 25, 2013) or on the determination of the cost to the public.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting this AD as proposed except for minor editorial changes. We have determined that these minor changes:

Are consistent with the intent that was proposed in the NPRM (78 FR 58967, September 25, 2013) for correcting the unsafe condition; and

Do not add any additional burden upon the public than was already proposed in the NPRM (78 FR 58967, September 25, 2013).

Costs of Compliance

We estimate that this AD affects 42 airplanes of U.S. registry.

We also estimate that it will take about 4 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 \$0 per product. Based on these figures, we estimate the cost of this AD on U.S. operators to be \$14,280, or \$340 per product.

In addition, we estimate that any necessary follow-on actions will take about 36-work-hours and require parts costing \$341, for a cost of \$3,401 per product. We have no way of determining the number of aircraft that might need this action.

Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to 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 control number for the collection of information required by this AD is 2120-0056. The paperwork cost associated with this AD has been detailed in the Costs of Compliance section of this document and includes time for reviewing instructions, as well as completing and reviewing the collection of information. Therefore, all reporting associated with this AD is 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.

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.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov/#!docketDetail;D=FAA-2013-0799>; 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 street address for the Docket Operations office (telephone (800) 647-5527) is in the ADDRESSES section.

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:



2014-03-09 ATR–GIE Avions de Transport Régional: Amendment 39-17746. Docket No. FAA-2013-0799; Directorate Identifier 2012-NM-153-AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective March 26, 2014.

(b) Affected ADs

None.

(c) Applicability

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

(1) ATR–GIE Avions de Transport Régional Model ATR42-200, -300, -320, and -500 airplanes, certificated in any category, manufacturer serial numbers 003 through 623 inclusive.

(2) ATR–GIE Avions de Transport Régional Model ATR72-101, -201, -102, -202, -211, -212, and -212A airplanes, certificated in any category, manufacturer serial numbers 108 through 710 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 54, Nacelles/pylons.

(e) Reason

This AD was prompted by reports of defective sealing between the nacelle lower fairing and the underwing box. We are issuing this AD to prevent the decrease of the fire extinguishing agent efficiency, which could delay fire extinction and allow fire propagation out of the nacelle fire protected area, resulting in damage to the airplane.

(f) Compliance

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

(g) Inspection and Corrective Actions

Within 5,000 flight hours after the effective date of this AD: Do a one-time general visual inspection for damaged (worn, torn, or abraded) and missing shims and seals, between the nacelle lower fairing and the underwing box of both the left-hand and right-hand engine nacelles, in accordance with the Accomplishment Instructions of Avions de Transport Régional Service Bulletin ATR42-54-0029; or ATR72-54-1023; both dated July 18, 2012; as applicable. If any seal or shim is damaged or missing, before further flight, replace, as applicable, in accordance with the Accomplishment Instructions of Avions de Transport Régional Service Bulletin ATR42-54-0029; or ATR72-54-1023; both dated July 18, 2012; as applicable.

(h) Reporting

At the applicable time specified in paragraph (h)(1) or (h)(2) of this AD: Submit a report using the applicable Accomplishment Report of Avions de Transport Régional Service Bulletin ATR42-54-0029; or ATR72-54-1023; both dated July 18, 2012; to ATR Engineering, Service Bulletin Group, 1 Allee Pierre Nadot, 31712 Blagnac Cedex, France; phone: +33 (0) 5 62 21 62 21; fax: +33 (0) 5 62 21 69 41; email: techdesk@atr.fr.

(1) If the inspection was done on or after the effective date of this AD: Submit the report within 30 days after the inspection.

(2) If the inspection was done before the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

(i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM-116, Transport Airplane Directorate, 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 International Branch, send it to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1137; fax 425-227-1149. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. 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.

(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: 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.

(j) Related Information

Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency (EASA) Airworthiness Directive 2012-0160, dated August 24, 2012, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2013-0799-0002>.

(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.

(i) ATR Service Bulletin ATR42-54-0029, dated July 18, 2012.

(ii) ATR Service Bulletin ATR72-54-1023, dated July 18, 2012.

(3) For service information identified in this AD, contact ATR–GIE Avions de Transport Régional, 1, Allée Pierre Nadot, 31712 Blagnac Cedex, France; telephone +33 (0) 5 62 21 62 21; fax +33 (0) 5 62 21 67 18; email continued.airworthiness@atr.fr; Internet <http://www.aerochain.com>.

(4) 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.

(5) 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 January 21, 2014.

Jeffrey E. Duven,
Manager, Transport Airplane Directorate,
Aircraft Certification Service.