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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2010-1255 Directorate Identifier 2010-CE-059-AD; Amendment 39-16618; AD 2011-05-09]

RIN 2120-AA64

Airworthiness Directives; B-N Group Ltd. Model BN-2, BN-2A, BN-2A-2, BN-2A-3, BN-2A-6, BN-2A-8, BN-2A-9, BN-2A-20, BN-2A-21, BN-2A-26, BN-2A-27, BN-2B-20, BN-2B-21, BN-2B-26, BN-2B-27, BN-2T, and BN-2T-4R 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) issued 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:

An event has been reported where Glass Fibre Reinforced Plastic (GFRP) elevator tips have been found deformed on in-service aircraft. The outboard three inches of the elevator tip assembly profiles (top and bottom surfaces) had changed from being convex profiles to concave profiles. There is concern that this could potentially result in, or be caused by, internal structural delamination and/or failure. Such a failure could have a serious effect on the aircraft handling and could potentially result in loss of control of the aircraft.

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

DATES: This AD becomes effective April 26, 2011.

On April 26, 2011, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at 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 service information identified in this AD, contact Airworthiness, Britten-Norman Aircraft Ltd., Bembridge Airport, Isle of Wight, PO35 5PR, United Kingdom; telephone: +44(0) 20 3371 4000; fax: +44(0) 20 3371 4001; e-mail: jim.roberts@bnaircraft.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.

FOR FURTHER INFORMATION CONTACT: Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4138; fax: (816) 329-4090.

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 December 21, 2010 (75 FR 79990). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

An event has been reported where Glass Fibre Reinforced Plastic (GFRP) elevator tips have been found deformed on in-service aircraft. The outboard three inches of the elevator tip assembly profiles (top and bottom surfaces) had changed from being convex profiles to concave profiles. There is concern that this could potentially result in, or be caused by, internal structural delamination and/or failure. Such a failure could have a serious effect on the aircraft handling and could potentially result in loss of control of the aircraft.

For the reasons stated above, the initial issue of this AD (AD 2009-0105) mandated inspection of the GFRP elevator tips and replacement of any deformed parts.

Its Revision 1 (AD 2009-0105R1) extends the compliance time by three months.

Its Revision 2 (AD 2009-0105R2) extends the compliance time by an additional three months.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

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 FAA policies. Any such differences are highlighted in a NOTE within the AD.

Costs of Compliance

We estimate that this AD will affect 135 products of U.S. registry. We also estimate that it will take about 2 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 \$10,000 per product.

Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$1,372,950 or \$10,170 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 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 Management Facility 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 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:



2011-05-09 B-N Group Ltd.: Amendment 39-16618; Docket No. FAA-2010-1255; Directorate Identifier 2010-CE-059-AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective April 26, 2011.

Affected ADs

- (b) None.

Applicability

(c) This AD applies to B-N Group Ltd. Models BN-2, BN-2A, BN-2A-2, BN-2A-3, BN-2A-6, BN-2A-8, BN-2A-9, BN-2A-20, BN-2A-21, BN-2A-26, BN-2A-27, BN-2B-20, BN-2B-21, BN-2B-26, BN-2B-27, BN-2T, and BN-2T-4R airplanes, all serial numbers, 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:

An event has been reported where Glass Fibre Reinforced Plastic (GFRP) elevator tips have been found deformed on in-service aircraft. The outboard three inches of the elevator tip assembly profiles (top and bottom surfaces) had changed from being convex profiles to concave profiles. There is concern that this could potentially result in, or be caused by, internal structural delamination and/or failure. Such a failure could have a serious effect on the aircraft handling and could potentially result in loss of control of the aircraft.

For the reasons stated above, the initial issue of this AD (AD 2009-0105) mandated inspection of the GFRP elevator tips and replacement of any deformed parts.

Its Revision 1 (AD 2009-0105R1) extends the compliance time by three months.

Its Revision 2 (AD 2009-0105R2) extends the compliance time by an additional three months.

Actions and Compliance

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

(1) Before further flight after April 26, 2011 (the effective date of this AD), visually inspect for deformation of shape and signs of concavity the elevator tip assemblies (top and bottom surfaces) as instructed in paragraphs 6 and 9 of Britten-Norman Aircraft Limited Service Bulletin Number BN-2/SB 313, Issue 3, dated February 24, 2009. If no sign of deformity or concavity is found as a result of the inspection required by paragraph (f)(1) of this AD, no further action is required by this AD except for the requirements of paragraph (f)(3) of this AD.

(2) If signs of deformation or concavity are found, before further flight, inspect for delamination the elevator tip as instructed in paragraph 9 of Britten-Norman Aircraft Limited Service Bulletin Number BN-2/SB 313, Issue 3, dated February 24, 2009.

(i) If delamination is found as a result of any inspection required by this AD, before further flight, replace the elevator tip with a serviceable elevator tip following Britten-Norman Ltd. Drawing NB-31-235, Issue 13; Britten-Norman Ltd. Drawing NB-31-873, Issue 2; or Britten-Norman Ltd. Drawing NB-0906, Issue 3, as applicable to airplane models.

(ii) If no delamination is found as a result of any inspection required by this AD, at intervals not to exceed 50 hours time-in-service (TIS) and until accomplishment of paragraph (f)(2)(iii) of this AD, inspect for delamination the elevator tip as instructed in paragraph 9 of Britten-Norman Aircraft Limited Service Bulletin Number BN-2/SB 313, Issue 3, dated February 24, 2009.

(iii) Within 12 months after the effective date of this AD, unless already done as required by paragraph (f)(2)(i) of this AD, replace the elevator tip with a serviceable elevator tip following Britten-Norman Ltd. Drawing NB-31-235, Issue 13; Britten-Norman Ltd. Drawing NB-31-873, Issue 2; or Britten-Norman Ltd. Drawing NB-31-0906, Issue 3, as applicable to airplane models.

(3) After April 26, 2011 (the effective date of this AD), do not install elevator tips on any airplane, unless they have already been inspected in accordance with Britten-Norman Aircraft Limited Service Bulletin Number BN-2/SB 313, Issue 3, dated February 24, 2009, and determined to be free from concavity and delamination.

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: Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4138; 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 EASA AD No.: 2009-0105R2, dated March 9, 2010; Britten-Norman Aircraft Limited Service Bulletin Number BN-2/SB 313, Issue 3, dated February 24, 2009, Britten-Norman Ltd. Drawing NB-31-235, Issue 13; Britten-Norman Ltd. Drawing NB-31-873, Issue 2; and Britten-Norman Ltd. Drawing NB-31-0906, Issue 3. For service information related to this AD, contact Airworthiness, Britten-Norman Aircraft Ltd., Bembridge Airport, Isle of Wight, PO35 5PR, United Kingdom; telephone: +44(0) 20 3371 4000; fax: +44(0) 20 3371 4001; e-mail: jim.roberts@bnaircraft.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.

Material Incorporated by Reference

(i) You must use Britten-Norman Aircraft Limited Service Bulletin Number BN-2/SB 313, Issue 3, dated February 24, 2009, Britten-Norman Ltd. Drawing NB-31-235, Issue 13, dated May 20, 2010; Britten-Norman Ltd. Drawing NB-31-873, Issue 2, dated October 9, 1996; and Britten-Norman Ltd. Drawing NB-31-0906, Issue 3, dated November 24, 2009, 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 Airworthiness, Britten-Norman Aircraft Ltd., Bembridge Airport, Isle of Wight, PO35 5PR, United Kingdom; telephone: +44(0) 20 3371 4000; fax: +44(0) 20 3371 4001; e-mail: jim.roberts@bnaircraft.com.

(3) 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.

(4) You may also review copies of the service information incorporated by reference for this AD 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 Kansas City, Missouri, on March 4, 2011.

Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2011-5454 Filed 3-21-11; 8:45 am]

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