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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003-SW-18-AD; Amendment 39-13359; AD 2003-22-11]

RIN 2120-AA64

Airworthiness Directives; Eurocopter France Model AS350B, B1, B2, B3, BA, C, D, D1, and AS355E, F, F1, F2, and N Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD) for the specified Eurocopter France (Eurocopter) Model AS350B, B1, B2, B3, BA, D, and AS355E helicopters, that currently requires removing certain serial-numbered main servocontrols before further flight. This amendment contains the same requirements but also requires removing certain other main and tail servocontrols on or before 550 hours time-in-service (TIS) or 24 months, whichever occurs first. Also, this amendment adds the Eurocopter Model AS350C, D1, and AS355F, F1, F2, and N helicopters to the applicability. This amendment is prompted by the discovery of a manufacturing defect in another set of servocontrols. The actions specified by this AD are intended to prevent failure of a main or tail servocontrol in the flight control system and subsequent loss of control of the helicopter.

DATES: Effective December 8, 2003.

FOR FURTHER INFORMATION CONTACT: Uday Garadi, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations and Guidance Group, Fort Worth, Texas 76193-0110, telephone (817) 222-5123, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION: On December 21, 2001, the FAA issued Emergency AD 2001-26-53 (EAD). That EAD was published in the Federal Register as a final rule; request for comments on January 22, 2002, Docket No. 2001-SW-70-AD, Amendment 39-12605 (67 FR 2804). A proposal to amend 14 CFR part 39 by superseding AD 2001-26-53 for the specified Eurocopter model helicopters was published in the Federal Register on July 16, 2003 (68 FR 41968). The action proposed to retain the requirements in the existing AD to remove certain main servocontrols before further flight. The action also proposed removing certain main and tail servocontrols within 550 hours TIS or 24 months, whichever occurs first, and adding the Eurocopter Model AS350C, D1, and AS355F, F1, F2, and N helicopters to the applicability.

The FAA has reviewed Eurocopter Alert Service Bulletin No. 01.00.48 for Model AS355E, F, F1, F2, and N helicopters and No. 01.00.52 for Model AS350B, BA, B1, B2, B3, BB, and D helicopters, both dated May 16, 2002, which advise replacing certain main servocontrols, before further flight, and certain other main and tail servocontrols within 550 hours or 24 months.

The Direction General De L'Aviation Civile (DGAC), the airworthiness authority for France, notified the FAA that an unsafe condition may exist on Eurocopter Model AS350B, BB, B1, B2, B3, BA, D, and AS355E, F, F1, F2, and N helicopters. The DGAC advises of the discovery of a manufacturing fault on a set of servocontrols. The DGAC classified the Eurocopter alert service bulletins as mandatory and issued AD No. 2003-099(A) (for Model AS 350 helicopters) and No. 2003-100(A) (for Model AS 355 helicopters), both dated March 5, 2003, to ensure the continued airworthiness of these helicopters.

These helicopter models are manufactured in France and are type certificated for operation in the United States under the provisions of 14 CFR 21.29 and the applicable bilateral agreement. Pursuant to the applicable bilateral agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of these type designs that are certificated for operation in the United States.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

On July 10, 2002, the FAA issued a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's AD system. The regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. Because we have now included this material in part 39, we no longer need to include it in each individual AD.

The FAA estimates that this AD will affect 627 helicopters of U.S. registry and will take approximately $\frac{1}{2}$ work hour to identify and 2 work hours to replace each servocontrol per helicopter at an average labor rate of \$65 per work hour. Required parts will cost approximately \$9200 per helicopter. Based on these figures, we estimate the total cost impact of the AD on U.S. operators to be \$5,154,130, assuming 551 servocontrols are replaced.

The regulations adopted herein 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (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. A final evaluation has been prepared for this action and is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by removing Amendment 39-12605 (67 FR 2804, January 22, 2002) and by adding a new airworthiness directive (AD), Amendment 39-13359, to read as follows:

AIRWORTHINESS DIRECTIVE



Aircraft Certification Service
Washington, DC

U.S. Department
of Transportation
**Federal Aviation
Administration**

We post ADs on the internet at "www.faa.gov"

The following Airworthiness Directive issued by the Federal Aviation Administration in accordance with the provisions of Title 14 of the Code of Federal Regulations (14 CFR) part 39, applies to an aircraft model of which our records indicate you may be the registered owner. Airworthiness Directives affect aviation safety and are regulations which require immediate attention. You are cautioned that no person may operate an aircraft to which an Airworthiness Directive applies, except in accordance with the requirements of the Airworthiness Directive (reference 14 CFR part 39, subpart 39.3).

2003-22-11 Eurocopter France: Amendment 39-13359. Docket No. 2003-SW-18-AD. Supersedes AD 2001-26-53, Amendment 39-12605, Docket No. 2001-SW-70-AD.

Applicability: Model AS350B, B1, B2, B3, BA, C, D, D1, and AS355E, F, F1, F2, and N helicopters, certificated in any category, except those helicopters with TRW-SAMM main and tail servocontrols that have been reconditioned and identified by the letter "V" engraved on the identification plate on the right-hand side of the part number (P/N).

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of a servocontrol in the flight control system and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight, remove each main servocontrol, P/N SC5083, serial number (S/N) 1500 through 1515, and P/N SC5084, S/N 722 through 726.

(b) On or before 550 hours time-in-service or 24 months, whichever occurs first, remove the following main or tail servocontrols, P/N and S/N:

(1) P/N SC5081-1, with S/N 78, 89, 227, 240, 315, 362, 427, 451, 452, 492, 497, 498, 506, 512, 532, 550, 556, or 561.

(2) P/N SC5082-1, with S/N 045, 180, 194, 197, 254, or 264.

(3) P/N SC5083, with S/N 01, 03, 05, 082, 17, 21, 40, 43M, 65M, 77, 87, 103M, 106M, 107, 109, 128, 129, 138, 139, 144, 148, 152, 206, 207, 218, 221, 226, 235, 239, 240, 241, 243, 254, 256, 269, 286, 287, 290, 291, 302, 312, 321, 325, 327, 330, 331, 334, 338, 339, 347M, 356M, 365, 371, 372, 378M, 380M, 389, 412M, 418, 423, 428, 439, 484M, 503, 505, 525, 526, 528, 529, 573M, 587, 594M, 598, 612, 622, 1150 through 1155, 1157, 1159 through 1169, 1180 through 1199, 1207, 1208, 1210 through 1259, 1269, or 1291 through 1499.

(4) P/N SC5084, with S/N 013, 025, 31, 75, 087, 87, 101M, 102, 105, 108, 136, 160, 162, 165M, 203, 205, 205M, 209, 220, 225, 232M, 239M, 267M, 271, 288M, 292, 300, 320, 364M, 458, 612, 627, 630, 632 through 634, 636 through 652, 654, 656 through 660, 682 through 721, 727 through 731, or 733 through 756.

(5) P/N SC5071-1, with S/N 343 or 389.

(6) P/N SC5072, with S/N 003, 35, 108, 197, 216M, 253M, 339M, 347M, 432M, 700 through 724, 726 through 744, 763 through 768, 783 through 789, or 820 through 883.

(c) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Contact the Safety Management Group, Rotorcraft Directorate, FAA, for information about previously approved alternative methods of compliance.

(d) Special flight permits will not be issued.

(e) This amendment becomes effective on December 8, 2003.

Note: The subject of this AD is addressed in Direction General De L'Aviation Civile, France, AD Nos. 2003-099(A) and 2003-100(A), both dated March 5, 2003.

Issued in Fort Worth, Texas, on October 24, 2003.

David A. Downey,
Manager, Rotorcraft Directorate, Aircraft Certification Service.
[FR Doc. 03-27541 Filed 10-31-03; 8:45 am]
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