

# 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-2012-0731; Directorate Identifier 2012-CE-020-AD]

RIN 2120-AA64

#### Airworthiness Directives; Piper Aircraft, Inc. 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 Piper Aircraft, Inc. (type certificate previously held by The New Piper Aircraft Inc.) PA-28, PA-32, PA-34, and PA-44 airplanes. This proposed AD was prompted by reports of control cable assembly failures that may lead to failure of the horizontal stabilator control system and could result in loss of pitch control. This proposed AD would require inspections of the stabilator control system and replacement of parts as necessary. We are proposing this AD to correct the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by September 17, 2012.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, 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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960; telephone: (772) 567-4361; Internet: [www.piper.com](http://www.piper.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.

#### 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 (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Hector Hernandez, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, 1701 Columbia Avenue, College Park, Georgia 30337; telephone: (404) 474-5587; fax: (404) 474-5606; email: [hector.hernandez@faa.gov](mailto:hector.hernandez@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2012-0731; Directorate Identifier 2012-CE-020-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

We received reports of control cable assembly failures that may lead to failure of the horizontal stabilator control system on Piper PA-28, PA-32, PA-34, and PA-44 airplanes. We have had reports of cracks, corrosion, failure of the turnbuckle, control cable fraying, the cable swage end broken and the system being held together by turnbuckle safety wire. In one report, an elevator cable was found broken at the terminal end near the turnbuckle, and, in another report, the elevator cable failed at the fitting that trends into the turnbuckle. This condition, if not corrected, could result in failure of the horizontal stabilator control system with subsequent loss of pitch control.

#### Relevant Service Information

We reviewed Piper Aircraft, Inc. Mandatory Service Bulletin No. 1245, dated May 3, 2012. That service information describes procedures for inspections of the stabilator control system.

#### FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

#### Proposed AD Requirements

This proposed AD would require inspections of the stabilator control system and replacement of parts as necessary. We are proposing this AD to correct the unsafe condition on these products.

#### Costs of Compliance

We estimate that this proposed AD affects 34,013 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection of the horizontal stabilator control system.	5 work-hours × \$85 per hour = \$425 .....	Not applicable .....	\$425	\$14,455,525

We estimate the following costs to do any necessary replacements that would be required based on the results of the proposed inspection. We have no way of determining the number of aircraft that might need these replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replacement of all stabilator control cable system—per set of cables.	10 work-hours × \$85 per hour = \$850 .....	\$608	\$1,458

**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),
- (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.

**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 adding the following new airworthiness directive (AD):

**Piper Aircraft, Inc.:** Docket No. FAA–2012–0731; Directorate Identifier 2012–CE–020–AD.

**(a) Comments Due Date**

We must receive comments by September 17, 2012.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Model PA–28–236, PA–28–140, PA–28–150, PA–28–151, PA–28–160, PA–28–161, PA–28–180, PA–28–181, PA–28–201T, PA–28R–201, PA–28–235, PA–28R–201T, PA–28S–160, PA–28S–180, PA–28R–180, PA–28R–200, PA–28RT–201, PA–28RT–201T, PA–32–260, PA–32–301, PA–32–301T, PA–32–300, PA–32R–300, PA–32R–301T, PA–32R–301 (SP), PA–32R–301 (HP), PA–32RT–300, PA–32RT–300T, PA–32S–300, PA–32–301FT, PA–32–301XTC, PA–34–200, PA–34–200T, PA–34–220T, PA–44–180, and PA–44–180T airplanes, all serial numbers, certificated in any category.

**(d) Subject**

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 2740, Stabilizer Control System.

**(e) Unsafe Condition**

This AD was prompted by reports of control cable assembly failures that may lead to failure of the horizontal stabilator control system and could result in loss of pitch control. This proposed AD would require inspections of the stabilator control system and replacement of parts as necessary. We are issuing this AD to correct the unsafe condition on these products.

**(f) Compliance**

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

**(g) Inspection**

(1) As of the effective date of this AD, if the age of the airplane is at or exceeds 15 years, then at the next annual inspection or within the next 12 months after the effective date of this AD, whichever occurs later, do an initial inspection of the stabilator control system following instructions 1 through 10 of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1245, dated May 3, 2012.

(2) As of the effective date of this AD, if the age of the airplane is less than 15 years, then, upon the age of the airplane reaching 15 years, at the next annual inspection or within the next 12 months after the effective date of this AD, whichever occurs later, do an initial inspection of the stabilator control system following instructions 1 through 10 of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1245, dated May 3, 2012.

(3) As of the effective date of this AD, if the age of the airplane cannot be determined, then at the next annual inspection or within the next 12 months after the effective date of this AD, whichever occurs later, do an initial inspection of the stabilator control system following instructions 1 through 10 of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1245, dated May 3, 2012.

**Note for paragraph (g)(1), (g)(2) and (g)(3) of this AD:** To assist in determining the age of the airplane, you may contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach,

Florida 32960; telephone: (772) 567-4361; Internet: [www.piper.com](http://www.piper.com); or access the FAA airplane registry database at: [http://registry.faa.gov/aircraftinquiry/Serial\\_Inquiry.aspx](http://registry.faa.gov/aircraftinquiry/Serial_Inquiry.aspx).

(4) After the applicable initial inspection required in paragraph (g)(1), (g)(2) or (g)(3) of this AD, repetitively thereafter at intervals not to exceed 2,000 hours time-in-service or 7 years, whichever occurs first, inspect the stabilator control system following instructions 1 through 10 of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1245, dated May 3, 2012.

#### (h) Repair

If any cracks, corrosion, or cable fraying are found during any inspection required in paragraphs (g)(1), (g)(2), (g)(3) or (g)(4) of this AD, before further flight, replace the damaged part with an airworthy part.

#### (i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Atlanta Aircraft Certification Office (ACO), 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 manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD.

(2) 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.

#### (j) Related Information

(1) For more information about this AD, contact Hector Hernandez, Aerospace Engineer, FAA, Atlanta ACO, 1701 Columbia Avenue, College Park, Georgia 30337; telephone: (404) 474-5587; fax: (404) 474-5606; email: [hector.hernandez@faa.gov](mailto:hector.hernandez@faa.gov).

(2) For service information identified in this AD, contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960; telephone: (772) 567-4361; Internet: [www.piper.com](http://www.piper.com). You may review copies of the 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 July 25, 2012.

#### James Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2012-18618 Filed 8-1-12; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2012-0726; Directorate Identifier 2012-NM-023-AD]

RIN 2120-AA64

#### Airworthiness Directives; Bombardier, Inc. 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 Bombardier, Inc. Model DHC-8-400 series airplanes. This proposed AD was prompted by cases of on-ground failure of the screw cap or end cap of hydraulic accumulators on other airplane models, resulting in high-energy impact damage to adjacent systems and structure. This proposed AD would require inspecting for a part number and replacing the affected parking brake hydraulic accumulator, and relocating the parking brake accumulator, on the subject airplanes. We are proposing this AD to prevent failure of the screw caps and/or end caps of the parking brake hydraulic accumulator, which could result in damage to the airplane's primary structures, with potential adverse effect on the airplane's controllability.

**DATES:** We must receive comments on this proposed AD by September 17, 2012.

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

For service information identified in this proposed AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416-375-4000; fax 416-375-4539; email [thd.qseries@aero.bombardier.com](mailto:thd.qseries@aero.bombardier.com); Internet <http://www.bombardier.com>. You may review copies of the

referenced 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.

#### 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 this proposed 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. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7318; fax (516) 794-5531.

#### 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-2012-0726; Directorate Identifier 2012-NM-023-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 based on 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

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF-2012-04, dated January 13, 2012 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Seven cases of on-ground hydraulic accumulator/screw cap/end cap failure have been experienced on CL-600-2B19 (CRJ) aeroplanes, resulting in loss of the associated hydraulic system and high-energy impact