

# 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.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2012-0946; Directorate Identifier 2012-CE-037-AD]

RIN 2120-AA64

#### Airworthiness Directives; GA200 (Pty) Ltd Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all GA200 (Pty) Ltd Models GA200 and GA200C airplanes that would revise an existing AD. This proposed 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 failure of the wing strut bolt through the main spar. We are issuing this proposed AD to require actions to address the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by November 29, 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 20590, between 9 a.m.

and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact GippsAero, P.O. Box 881, Morwell, Victoria 3840, Australia, telephone: + 61 (0) 3 5172 1200; fax + 61 (0) 3 5172 1201; email: [support@gippsaero.com](mailto:support@gippsaero.com); Internet: [www.gippsaero.com](http://www.gippsaero.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 (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4059; fax: (816) 329-4090; email: [doug.rudolph@faa.gov](mailto:doug.rudolph@faa.gov).

#### 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-2012-0946; Directorate Identifier 2012-CE-037-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

On August 31, 2012, we issued AD 2012-18-10, Amendment 39-17187 (77 FR 55686, September 11, 2012). That AD required actions intended to address an unsafe condition on the products listed above.

Since we issued AD 2012-18-10, Amendment 39-17187 (77 FR 55686, September 11, 2012), the Civil Aviation Safety Authority (CASA), which is the aviation authority for the Commonwealth of Australia, has issued AD AD/GA200/1, Amendment 1, dated September 21, 2012 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

As a result of a reported case of failure of a strut on a GA200C aircraft, GippsAero has issued a mandatory service bulletin to alert operators and maintenance organisations and to provide inspection and rectification actions.

This Airworthiness Directive makes this inspection and rectification action mandatory. Failure to complete the actions required by this service bulletin may result in wing strut bolt failure, resulting in wing structural failure.

Amendment 1 is issued to revise the repeat inspection compliance time to 500 hours (previously 100 hours). The requirement service bulletin is also revised to provide a corrective action if the inboard (upper) strut fitting hole is found to be larger than specified. The initial inspection compliance time of 10 hours remains unchanged.

This proposed AD would retain the actions required in AD 2012-18-10, Amendment 39-17187 (77 FR 55686, September 11, 2012), change the compliance time for the repetitive inspections, and incorporate the revised service bulletin. You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

GippsAero has issued Mandatory Service Bulletin SB-GA200-2012-08, Issue 2, dated September 4, 2012. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### FAA's Determination and Requirements of the Proposed AD

This product has been approved by the aviation authority of another

country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

#### Costs of Compliance

We estimate that this proposed AD will affect 3 products of U.S. registry. We also estimate that it would take about 2 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$510, or \$170 per product.

In addition, we estimate that any necessary follow-on actions would take about 2 work-hours and require parts costing \$400, for a cost of \$570 per product. We have no way of determining the number of products that may need these actions.

#### 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 removing Amendment 39–17187 (77 FR 55686, September 11, 2012), and adding the following new AD:

**GA200 (Pty) Ltd:** Docket No. FAA–2012–0946; Directorate Identifier 2012–CE–037–AD.

##### (a) Comments Due Date

We must receive comments by November 29, 2012.

##### (b) Affected ADs

This AD revises AD 2012–18–10, Amendment 39–17187 (77 FR 55686, September 11, 2012).

##### (c) Applicability

This AD applies to GA200 (Pty) Ltd Models GA200 and GA200C airplanes, all serial numbers, certificated in any category.

##### (d) Subject

Air Transport Association of America (ATA) Code 57: Wings.

##### (e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as failure of the wing strut bolt through the main spar. We are issuing this AD to prevent failure of the wing strut bolt, which could result in wing failure.

#### (f) Actions and Compliance

Unless already done, do the following actions.

(1) Within 10 hours time-in-service (TIS) after September 14, 2012 (the effective date retained from AD 2012–18–10, Amendment 39–17187 (77 FR 55686, September 11, 2012)), inspect the inboard strut fitting following GippsAero Mandatory Service Bulletin SB–GA200–2012–08, Issue 1, dated August 22, 2012; or GippsAero Mandatory Service Bulletin SB–GA200–2012–08, Issue 2, dated September 4, 2012. Repetitively thereafter inspect at intervals not to exceed 500 hours TIS following GippsAero Mandatory Service Bulletin SB–GA200–2012–08, Issue 2, dated September 4, 2012.

(2) If the 100-hour TIS repetitive inspection previously required in AD 2012–18–10, Amendment 39–17187 (77 FR 55686, September 11, 2012) has already been done before the effective date of this AD following GippsAero Mandatory Service Bulletin SB–GA200–2012–08, Issue 1, dated August 22, 2012, the next required inspections are due at intervals not to exceed 500 hours TIS after the last inspection following GippsAero Mandatory Service Bulletin SB–GA200–2012–08, Issue 2, dated September 4, 2012.

(3) If any discrepancies are found during any of the inspections required by paragraphs (f)(1) and (f)(2) of this AD, before further flight after the inspection in which the discrepancy is found, take all necessary corrective actions following GippsAero Mandatory Service Bulletin SB–GA200–2012–08, Issue 1, dated August 22, 2012; or GippsAero Mandatory Service Bulletin SB–GA200–2012–08, Issue 2, dated September 4, 2012.

#### (g) Other FAA AD Provisions

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: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; fax: (816) 329–4090; email: [doug.rudolph@faa.gov](mailto:doug.rudolph@faa.gov). 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.

#### (h) Related Information

Refer to MCAI Civil Aviation Safety Authority (CASA) AD AD/GA200/1, Amendment 1, dated September 21, 2012; GippsAero Mandatory Service Bulletin SB-GA200-2012-08, Issue 1, dated August 22, 2012; and GippsAero Mandatory Service Bulletin SB-GA200-2012-08, Issue 2, dated September 4, 2012, for related information. For service information related to this AD, contact GippsAero, P.O. Box 881, Morwell, Victoria 3840, Australia, telephone: + 61 (0) 3 5172 1200; fax + 61 (0) 3 5172 1201; email: [support@gippsaero.com](mailto:support@gippsaero.com); Internet: [www.gippsaero.com](http://www.gippsaero.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.

Issued in Kansas City, Missouri, on October 9, 2012.

#### Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2012-25253 Filed 10-12-12; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

Docket No. FAA-2012-0971; Airspace  
Docket No. 12-ASO-31

RIN 2120-AA66

#### Proposed Amendment of VOR Federal Airway V-537, GA

**AGENCY:** Federal Aviation  
Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking  
(NPRM).

**SUMMARY:** This action proposes to modify VHF omnirange (VOR) Federal airway V-537 in Georgia. The FAA is proposing this action to realign the route due to the scheduled decommissioning of the Moultrie, GA, VOR/DME facility which forms a point along the route.

**DATES:** Comments must be received on or before November 29, 2012.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; telephone: (202) 366-9826. You must identify FAA Docket No. FAA-2012-0971 and Airspace Docket No. 12-ASO-31 at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace Policy and ATC Procedures Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2012-0971 and Airspace Docket No. 12-ASO-31) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2012-0971 and Airspace Docket No. 12-ASO-31." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned

with this rulemaking will be filed in the docket.

#### Availability of NPRM's

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Ave., College Park, GA, 30337.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

#### The Proposal

The FAA is proposing an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to modify the description of VOR Federal airway V-537. The Moultrie, GA, VOR/DME, which forms a point along the route, is scheduled to be decommissioned, thus the route description would be redefined to provide for the continuity of V-537.

Specifically, V-537 extends between Palm Beach, FL, and Macon, GA. In order to maintain the current ground track of the airway, the FAA would redefine the position of the Moultrie, GA, VOR/DME with a navigation fix formed by the intersection of the Greenville, FL, VORTAC 001°(T)/360°(M) and the Macon, GA, VORTAC 185°(T)/184°(M) radials.

VOR Federal airways are published in paragraph 6010, of FAA Order 7400.9W dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airway listed in this document would be subsequently published in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory