

Dated: September 30, 2013.

**Charles A. Barth,**

Director, Office of the Federal Register.

[FR Doc. 2013-24217 Filed 9-30-13; 4:15 pm]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2013-0363; Directorate Identifier 2013-NM-031-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Airplanes

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

**ACTION:** Supplemental notice of proposed rulemaking (NPRM); reopening of comment period.

**SUMMARY:** We are revising an earlier proposed airworthiness directive (AD) for all Airbus Model A330-200, -300 and -200 Freighter series airplanes, and Model A340-200, -300, -500, and -600 series airplanes. The NPRM proposed to require, for certain airplanes, revising the airplane flight manual (AFM) to advise the flight crew of emergency procedures for addressing Angle of Attack (AOA) sensor blockage. The NPRM also proposed to mandate replacing the AOA sensor conic plates with AOA sensor flat plates, which is a terminating action for the AFM revision. The NPRM was prompted by a report that an airplane equipped with AOA sensors installed with conic plates recently experienced blockage of all sensors during climb, leading to autopilot disconnection and activation of the alpha protection (Alpha Prot) when Mach number was increased. For certain airplanes, this action revises the NPRM by adding a modification of the installation of certain AOA sensor flat plates. We are proposing this AD to prevent reduced control of the airplane. Since these actions impose an additional burden over that proposed in the NPRM, we are reopening the comment period to allow the public the chance to comment on these proposed changes.

**DATES:** We must receive comments on this proposed AD by November 18, 2013.

**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 Airbus SAS—Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80; email [airworthiness.A330-A340@airbus.com](mailto:airworthiness.A330-A340@airbus.com); Internet <http://www.airbus.com>. You may review copies of the 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.

#### 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 MCAI, 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:** Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-227-1138; fax: 425-227-1149.

#### 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-2013-0363; Directorate Identifier 2013-NM-031-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://](http://www.regulations.gov)

[www.regulations.gov](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 proposed to amend 14 CFR part 39 with an earlier NPRM for the specified products, which was published in the **Federal Register** on May 3, 2013 (78 FR 25902). The earlier NPRM proposed to require actions intended to address the unsafe condition for the products listed above.

#### Actions Since Previous NPRM Was Issued

Since the NPRM (78 FR 25902, May 3, 2013) was issued, Airbus has issued revised service information, identified below, due to an error in the Accomplishment Instructions in the original service information for the installation. For airplanes on which the installation in the original service information was done, the revised service information adds a modification of that installation of the two AOA sensor flat plates on the right-hand side of the fuselage. The modification ensures that both plates are flush with the fuselage.

#### Revised Service Information

- Airbus Mandatory Service Bulletin A330-34-3293, Revision 01, including Appendix 01, dated June 12, 2013.
- Airbus Mandatory Service Bulletin A340-34-4273, Revision 01, including Appendix 01, dated June 12, 2013.
- Airbus Mandatory Service Bulletin A340-34-5093, Revision 01, including Appendix 01, dated June 12, 2013.

The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### Comments

We gave the public the opportunity to comment on the NPRM (78 FR 25902, May 3, 2013). The following presents the comments received on the NPRM and the FAA's response to each comment.

Airbus asked that we replace the original issues of the service information specified in the earlier NPRM (Airbus Mandatory Service Bulletin A330-34-3293, dated January 31, 2013; and Airbus Mandatory Service Bulletins A340-34-4273 and A340-34-5093, both dated January 30, 2013). Airbus stated that revised service information was issued to correct an error in the Accomplishment Instructions of the original issues of the service information, as specified under

the “Relevant Service Information” section in the earlier NPRM (78 FR 25902, May 3, 2013).

We agree with the commenter and have replaced the references to accomplishing the actions in accordance with the original issue of the service information in the earlier NPRM (78 FR 25902, May 3, 2013) with accomplishing the actions in accordance with the revised service information identified previously.

**FAA’s Determination and Requirements of This 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 the State of Design Authority, we have been notified

of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Certain changes described above expand the scope of the earlier NPRM (78 FR 25902, May 3, 2013). As a result, we have determined that it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this proposed AD.

**Difference Between the Proposed AD and the MCAI or Service Information**

The revised service information specifies an imprecise compliance time

for modifying the installation of the AOA sensor conic plates (i.e., “at next C-check at the latest”). The SNPRM would require modifying the installation within 5 months after the effective date of the AD. We have coordinated this difference with the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, and Airbus.

**Costs of Compliance**

We estimate that this proposed AD affects 64 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 |
|--|--|------------|------------------|------------------------|
| AFM Revision .....   | 1 work-hour × \$85 per hour = \$85 .....   | \$0        | \$85             | \$5,440                |
| Replacement of certain AOA sensor conic plates.                  | 7 work-hours × \$85 per hour = \$595 ..... | 0          | 595              | 38,080                 |
| Modification of installations of certain AOA sensor flat plates. | 5 work-hours × \$85 per hour = \$425 ..... | 0          | 425              | 27,200                 |

**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 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

**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 AD:

**Airbus:** Docket No. FAA–2013–0363; Directorate Identifier 2013–NM–031–AD.

**(a) Comments Due Date**

We must receive comments by November 18, 2013.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to the Airbus airplanes, certificated in any category, as identified in paragraphs (c)(1) and (c)(2) of this AD.

(1) Model A330–201, –202, –203, –223, –223F, –243, –243F, –301, –302, –303, –321, –322, –323, –341, –342, and –343 airplanes, all manufacturer serial numbers.

(2) Model A340–211, –212, –213, –311, –312, –313, –541 and –642 airplanes, all manufacturer serial numbers.

**(d) Subject**

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 34: Navigation.

**(e) Reason**

This AD was prompted by a report that an airplane equipped with Angle of Attack (AOA) sensors installed with conic plates recently experienced blockage of all sensors during climb, leading to autopilot disconnection and activation of the alpha protection (Alpha Prot) when Mach number

was increased. We are issuing this AD to prevent reduced control of the airplane.

#### (f) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### (g) Airplane Flight Manual Revision

For airplanes identified in paragraphs (g)(1) and (g)(2) of this AD, except as provided by paragraph (j) of this AD: Within 10 days after the effective date of this AD, revise the Emergency Procedures of the Airbus A330 and A340 Airplane Flight Manuals (AFMs), as applicable, by incorporating Airbus A330 Temporary Revision TR293, Issue 1.0, dated December 4, 2012; or Airbus A340 Temporary Revision TR294, Issue 1.0, dated December 4, 2012; as applicable; to advise the flight crew of emergency procedures for addressing AOA sensor blockage. This can be done by inserting the Airbus A330 Temporary Revision TR293, Issue 1.0, dated December 4, 2012; or Airbus A340 Temporary Revision TR294, Issue 1.0, dated December 4, 2012; into the applicable AFM. When the information in Airbus A330 Temporary Revision TR293, Issue 1.0, dated December 4, 2012; and Airbus A340 Temporary Revision TR294, Issue 1.0, dated December 4, 2012; is included in the general revisions of the applicable AFM, the general revisions may be incorporated into the AFM, and the temporary revisions may be removed.

(1) Model A330-201, -202, -203, -223, 223F, -243, -243F, -301, -302, -303, -321, -322, -323, -341, -342, and -343 airplanes, all manufacturer serial numbers, on which Airbus modification 201609 or 201610 has been embodied in production; or on which Airbus Service Bulletin A330-34-3255 has been embodied in service.

(2) Model A340-211, -212, -213, -311, -312, -313, -541, and -642 airplanes, all manufacturer serial numbers, on which Airbus modification 201609 or 201610 has been embodied in production; or on which Airbus Service Bulletin A340-34-4250 or A340-34-5081, as applicable, has been embodied in service.

#### (h) Replacement

Except as provided by paragraph (j) of this AD: Within 5 months after the effective date of this AD, replace all AOA sensor conic plates having part number (P/N)

F3411060200000 or P/N F3411060900000 with an applicable AOA sensor flat plate identified in paragraph (h)(1) or (h)(2) of this AD. Performing this replacement constitutes terminating action for the AFM revision required by paragraph (g) of this AD; and Airbus A330 Temporary Revision TR293, Issue 1.0, dated December 4, 2012, and Airbus A340 Temporary Revision TR294, Issue 1.0, dated December 4, 2012, to the Airbus A330 and A340 AFMs, as applicable, must be removed from the AFMs before further flight after doing the replacement.

(1) Replace with a flat plate having P/N F3411007920200 or P/N F3411007920300, as applicable, in accordance with the applicable service information specified in paragraph (h)(1)(i), (h)(1)(ii), or (h)(1)(iii) of this AD.

(i) Airbus Mandatory Service Bulletin A330-34-3293, Revision 01, including Appendix 01, dated June 12, 2013.

(ii) Airbus Mandatory Service Bulletin A340-34-4273, Revision 01, including Appendix 01, dated June 12, 2013.

(iii) Airbus Mandatory Service Bulletin A340-34-5093, Revision 01, including Appendix 01, dated June 12, 2013.

(2) Replace with a flat plate having P/N F3411007920000 or P/N F3411007920100, in accordance with a method approved by either the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA) or its delegated agent.

#### (i) Modification of Installation

For airplanes on which any AOA sensor conic plate has been replaced with an AOA sensor flat plate, in accordance with the applicable service information specified in paragraph (i)(1)(i), (i)(1)(ii), or (i)(1)(iii) of this AD: Within 5 months after the effective date of this AD, modify the installation of the AOA sensor flat plates so that the plates are flush with the fuselage in accordance with the applicable service information identified in paragraph (h)(1)(i), (h)(1)(ii), or (h)(1)(iii) of this AD.

(i) Airbus Mandatory Service Bulletin A330-34-3293, including Appendix 01, dated January 31, 2013.

(ii) Airbus Mandatory Service Bulletin A340-34-4273, including Appendix 01, dated January 30, 2013.

(iii) Airbus Mandatory Service Bulletin A340-34-5093, including Appendix 01, dated January 30, 2013.

#### (j) Exception to Paragraphs (g) and (h) of This AD

For airplanes on which Airbus Modification 203285 (improved AOA flat plate protection treatment) has been embodied in production: The actions specified in paragraphs (g) and (h) of this AD are not required, provided that, since first flight, no AOA probe conic plate having P/N F3411060200000 or P/N F3411060900000 has been installed.

#### (k) Parts Installation Prohibition

As of the effective date of this AD, no person may install, on any airplane, an AOA sensor conic plate having P/N F3411060200000 or P/N F3411060900000 or an AOA protection cover having P/N 98D34203003000.

#### (l) 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: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind

Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-1138; 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.

#### (m) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information EASA Airworthiness Directive 2013-0023, dated February 1, 2013, for related information, which can be found in the AD docket on the Internet at <http://www.regulations.gov>.

(2) For service information identified in this proposed AD, contact Airbus SAS—Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80; email [airworthiness.A330-A340@airbus.com](mailto:airworthiness.A330-A340@airbus.com); Internet <http://www.airbus.com>. You may review copies of the 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.

Issued in Renton, Washington, on September 23, 2013.

**Jeffrey E. Duven,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2013-0835; Directorate Identifier 2013-NM-095-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-8-102, -103, -106, -201, -202, -301, -311, and -315 airplanes. This proposed AD