

**(h) Definitions**

(1) For the purpose of this AD, an “engine shop visit” is the induction of an engine into the shop for maintenance involving the separation of pairs of major mating engine case flanges, except for the following, which do not constitute an engine shop visit:

(i) Separation of engine flanges solely for the purposes of transportation without subsequent maintenance does not constitute an engine shop visit.

(ii) Separation of engine flanges solely for the purpose of replacing the fan without subsequent maintenance does not constitute an engine shop visit.

(2) For the purpose of this AD, a “part eligible for installation” is:

(i) For an HPC front hub: any HPC front hub with a P/N other than P/N 30G1910 or 30G3210; and

(ii) For an HPC rotor shaft: any HPC rotor shaft with a P/N other than P/N 30G1854, 30G3109, 30G4995, 30G4953, or 31G0014.

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

(1) The Manager, ECO Branch, 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 certification office, send it to the attention of the person identified in Related Information. You may email your request to: [ANE-AD-AMOC@faa.gov](mailto:ANE-AD-AMOC@faa.gov).

(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**

For more information about this AD, contact Mark Taylor, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238-7229; fax: (781) 238-7199; email: [Mark.Taylor@faa.gov](mailto:Mark.Taylor@faa.gov).

**(k) Material Incorporated by Reference**

None.

Issued on August 12, 2021.

**Lance T. Gant,**

*Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2021-17654 Filed 8-17-21; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

**[Docket No. FAA-2021-0364; Project Identifier MCAI-2020-00274-R; Amendment 39-21675; AD 2021-16-13]**

**RIN 2120-AA64**

**Airworthiness Directives; Leonardo S.p.a. Helicopters**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for Leonardo S.p.a. (Leonardo) Model A109S and AW109SP helicopters with a certain part-numbered vertical fin vibration absorber installation installed. This AD requires repetitive inspections of the vertical fin vibration absorber installation and the surrounding structure and depending on the inspection results, removing certain parts from service. This AD also prohibits installing certain part-numbered vertical fin vibration absorber installations on any helicopter. This AD was prompted by a report of cracks and damage detected on the vertical fin absorber installation and surrounding structure during scheduled inspections. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective September 22, 2021.

**ADDRESSES:** For service information identified in this final rule, contact Leonardo S.p.a. Helicopters, Emanuele Bufano, Head of Airworthiness, Viale G.Agusta 520, 21017 C. Costa di Samarate (Va) Italy; telephone +39-0331-225074; fax +39-0331-229046; or at <https://www.leonardocompany.com/en/home>. You may view the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177.

**Examining the AD Docket**

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0364; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the European Union Aviation Safety Agency (EASA) AD, any comments received, and other information. The street address for Docket Operations is 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 FURTHER INFORMATION CONTACT:** Kristin Bradley, Aerospace Engineer, General Aviation & Rotorcraft Section, International Validation Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email [kristin.bradley@faa.gov](mailto:kristin.bradley@faa.gov).

**SUPPLEMENTARY INFORMATION:****Background**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to Leonardo Model A109S and AW109SP helicopters with a vertical fin vibration absorber installation part number (P/N) 109-B810-79-101 installed. The NPRM published in the **Federal Register** on May 13, 2021 (86 FR 26198). In the NPRM, the FAA proposed, within 30 hours time-in-service (TIS), and thereafter at intervals not to exceed 100 hours TIS, removing the vertical fin vibration absorber installation and, using a mirror and light source, inspecting the rib assembly and depending on the inspection results, removing certain parts from service. The NPRM also proposed to require inspecting the vertical fin vibration absorber installation for hole elongation; for fretting between the plate and the masses, and in between the masses; for fretting on the doubler; and the bolts for scratches and corrosion. Depending on the inspection results, the NPRM proposed removing the vertical fin vibration absorber installation from service. The NPRM also proposed to require, within 12 months TIS, removing the vertical fin vibration absorber installation from service. Finally, the NPRM proposed to prohibit installing an affected part on any helicopter, and provided a terminating action for the 100-hour TIS repetitive inspections.

The NPRM was prompted by EASA AD 2014-0150, dated June 18, 2014 (EASA AD 2014-0150), issued by EASA, which is the Technical Agent for the Member States of the European Union, to correct an unsafe condition for certain AgustaWestland S.p.A. (now Leonardo S.p.a. Helicopters) (formerly Agusta S.p.A.) Model A109S and AW109SP helicopters with an absorber P/N 109-B810-79-101 installed. EASA advises that during a scheduled inspection on Model A109S and AW109SP helicopters, cracks and damage were detected on the vertical fin vibration absorber installation and the surrounding structure. EASA stated that investigation results determined the

cracks and damage were likely related to the design of the vertical fin vibration absorber installation and incorrect installation. Accordingly, EASA AD 2014–0150 required repetitive inspections and removal of the affected part.

After EASA AD 2014–0150 was issued, EASA determined certain helicopters were not included in the applicability and may also be subject to the unsafe condition. Accordingly, EASA issued EASA AD 2019–0294, dated December 4, 2019 (EASA AD 2019–0294), which supersedes EASA AD 2014–0150. EASA AD 2019–0294 retains the requirements of EASA AD 2014–0150 and expands the applicability, prohibits vertical fin vibration absorber installation P/N 109–B810–79–101 from being installed on any helicopter, and considers removal of the affected part to constitute terminating action for the repetitive inspections. EASA states that the unsafe condition, if not detected and corrected, could affect the structural integrity of the helicopter.

#### Discussion of Final Airworthiness Directive

##### Comments

The FAA received no comments on the NPRM or on the determination of the costs.

##### Conclusion

These helicopters have been approved by EASA and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the European Union, EASA has notified the FAA about the unsafe condition described in its AD. The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed except for a correction to the compliance time for removing the vertical fin vibration absorber installation from service. The NPRM stated that removing this part from service would be required "within 12 months TIS"; the term "TIS" was included in error and has been removed. This change does not increase the economic burden on any operator. Accordingly, the FAA is issuing this AD to address the unsafe condition on these helicopters.

##### Related Service Information

The FAA reviewed AgustaWestland S.p.A. Bollettino Technico No. 109S–58 for Model A109S helicopters, and AgustaWestland S.p.A. Bollettino Technico No. 109SP–074 for Model AW109SP helicopters, each dated May 7, 2014. This service information specifies instructions for removing the

vertical fin vibration absorber installation, inspecting the rib assembly and vertical fin vibration absorber installation and depending on the inspection results, removing certain parts from service.

##### Differences Between This AD and the EASA AD

EASA AD 2019–0294 applies to certain serial-numbered Model A109S and AW109SP helicopters, whereas this AD applies to all serial-numbered Model A109S and AW109SP helicopters with a certain part-numbered vertical fin vibration absorber installation installed.

##### Costs of Compliance

The FAA estimates that this AD affects 96 helicopters of U.S. Registry and that operators may incur the following costs in order to comply with this AD. Labor costs are estimated at \$85 per work-hour.

Removing and inspecting the vertical fin vibration absorber installation and surrounding structure takes about 8 work-hours for an estimated cost of \$680 per helicopter per inspection cycle and \$65,280 for the U.S. fleet per inspection cycle.

Replacing the rib assembly, shim, doubler, and bracket will take about 16 work-hours and parts will cost about \$10,000 for an estimated cost of \$11,360 per helicopter.

According to Leonardo some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. The FAA does not control warranty coverage by Leonardo. Accordingly, all costs are included in this cost estimate.

##### 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.

The FAA is 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 helicopters identified in this rulemaking action.

##### Regulatory Findings

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 that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, 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.

##### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

##### 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 airworthiness directive:

**2021–16–13 Leonardo S.p.a.:** Amendment 39–21675; Docket No. FAA–2021–0364; Project Identifier MCAI–2020–00274–R.

##### (a) Effective Date

This airworthiness directive (AD) is effective September 22, 2021.

##### (b) Affected ADs

None.

##### (c) Applicability

This AD applies to Leonardo S.p.a. Model A109S helicopters and AW109SP helicopters, certificated in any category, with vertical fin vibration absorber installation part number (P/N) 109–B810–79–101 installed.

##### (d) Subject

Joint Aircraft Service Component (JASC) Code: 2740, Stabilizer Control System.

##### (e) Unsafe Condition

This AD defines the unsafe condition as cracks or damage on the vertical fin vibration absorber installation and surrounding structure. This condition could affect the

structural integrity of the helicopter and lead to subsequent loss of control of the helicopter.

**(f) Compliance**

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

**(g) Required Actions**

(1) Within 30 hours time-in-service (TIS) after the effective date of this AD, and thereafter at intervals not to exceed 100 hours TIS:

(i) Remove the vertical fin vibration absorber installation P/N 109-B810-79-101, and using a mirror and light source, visually inspect the rib assembly P/N 109-0372-53-201 for hole elongation, fretting, and cracks. If there is any hole elongation, fretting, or cracks, before further flight, remove rib assembly P/N 109-0372-53-201, shim P/N 109-0372-53-211, doubler P/N 109-0372-53-213, and bracket P/N 109-0373-02-113 from service and replace with airworthy parts.

(ii) Inspect the vertical fin vibration absorber installation P/N 109-B810-79-101 for hole elongation; for fretting between the plate and the masses and in-between the masses; for fretting on doubler P/N 109-0372-53-213; and the bolts for scratches and corrosion. If there is any hole elongation; fretting between the plate and the masses or in-between the masses; fretting on doubler P/N 109-0372-53-213; or bolts with scratches or corrosion, before further flight, remove the vertical fin vibration absorber installation P/N 109-B810-79-101 from service.

(2) Within 12 months after the effective date of this AD unless already accomplished per paragraph (g)(1)(ii) of this AD, remove the vertical fin vibration absorber installation P/N 109-B810-79-101 from service.

(3) As of the effective date of this AD, do not install vertical fin vibration absorber installation P/N 109-B810-79-101 on any helicopter.

(4) Removing the vertical fin vibration absorber installation P/N 109-B810-79-101 from service, as described in paragraphs (g)(1)(ii) or (2) of this AD provides a terminating action for the 100 hour TIS repetitive inspections required by paragraph (g)(1) of this AD.

**(h) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, International Validation Branch, 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 International Validation Branch, send it to the attention of the person identified in paragraph (i)(1) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(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.

**(i) Related Information**

(1) For more information about this AD, contact Kristin Bradley, Aerospace Engineer, General Aviation & Rotorcraft Section, International Validation Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email [kristin.bradley@faa.gov](mailto:kristin.bradley@faa.gov).

(2) The subject of this AD is addressed in European Union Aviation Safety Agency (EASA) AD 2019-0294, dated December 4, 2019. You may view the EASA AD on the internet at <https://www.regulations.gov> in Docket No. FAA-2021-0364.

Issued on July 29, 2021.

**Lance T. Gant,**

*Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

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**BILLING CODE 4910-13-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 100**

[Docket Number USCG-2021-0639]

**RIN 1625-AA08**

**Special Local Regulation; Low Country Splash Open Water Swim, Charleston, SC**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a special local regulation on the waters of the Wando River, Cooper River, and Charleston Harbor in Charleston, SC. This action is necessary to provide for the safety of life on navigable waters during the Low Country Splash Open Water Swim. This rulemaking would restrict persons and vessels from entering certain waters of the Wando River, Cooper River, and Charleston Harbor, unless authorized by Sector Charleston Captain of the Port or a designated representative.

**DATES:** This rule is effective from 7 a.m. until 11 a.m., on September 18, 2021.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2021-0639 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Lieutenant Commander Chad Ray, Sector Charleston Waterways Management Division, Coast Guard; telephone (843) 740-3184, email [Chad.L.Ray@uscg.mil](mailto:Chad.L.Ray@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

**II. Background Information and Regulatory History**

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. The Coast Guard has published a special local regulation for this event in 33 CFR 100.704, Table 1 to § 100.704, Line No. 4; however, the existing special location regulation is dated for the first week of May while this year's event is scheduled for September 18, 2021.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be contrary to the public interest because the potential safety hazards associated with the Low Country Splash Open Water Swim taking place on September 18, 2021.

**III. Legal Authority and Need for Rule**

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70041. The Captain of the Port Charleston (COTP) has determined that potential hazards associated with the Low Country Splash Open Water Swim event presents a safety concern for anyone in the vicinity of the regulated area during the event. This rule is needed to protect participants, spectators, and the general public in the navigable waters within the regulated area during the Low Country Splash Open Water Swim event.

**IV. Discussion of the Rule**

This rule establishes a special local regulation from 7 a.m. until 11 a.m., on September 18, 2021. The special local regulation will cover all navigable waters within a moving zone, beginning at Daniel Island Pier, south along the