

(g) Alpha Floor

In icing and non-icing conditions, the alpha-floor setting must be such that the airplane can be flown at the speeds and bank angles specified in § 25.143(h). The applicant also must show that the alpha-floor setting does not interfere with normal maneuvering of the airplane. In addition, the airplane must exhibit no alpha-floor triggering unless appropriate when the airplane is flown in usual operational maneuvers and in turbulence.

(h) Proof of Compliance

In addition to the requirements in § 25.21(b), the following requirement applies:

The flying qualities will be evaluated at the most unfavorable center-of-gravity (CG) position.

(i) Speed Associated With Other Requirements

The design must meet the following modified requirements:

(1) Section 25.145(a): V_{min} in lieu of “stall identification.”

(2) Section 25.145(b): V_{min} in lieu of V_{sw} .

(3) Section 25.1323(d): “From 1.23 V_{SR} to V_{min} ” in lieu of “1.23 V_{SR} to stall warning speed” and “speeds below V_{min} ” in lieu of “speeds below stall warning.”

(j) Performance in Icing Conditions**(1) Take-Off**

In lieu of compliance with § 25.105(a)(2)(i), the following special conditions apply:

(a) In icing conditions, if in the configuration used in showing compliance with § 25.121(b), and with the most critical of the “Take-off Ice” accretion(s) defined in 14 CFR part 25, appendix C:

(i) The V_2 speed scheduled in non-icing conditions does not provide the maneuvering capability specified in § 25.143(h) for the take-off configuration.

Note: This requirement does not apply if the $V_{min}1g$ is increased in icing conditions, with the “Take-off Ice” accretion defined in 14 CFR part 25, appendix C, by less than 2.5 knots or 2.5 percent, whichever is greater.

(2) Climb: One-Engine Inoperative

In lieu of compliance with § 25.121(b)(2)(ii)(A), the following special conditions apply:

(a) In icing conditions, with the most critical of the take-off ice accretion(s) defined in 14 CFR part 25, appendix C, if in the configuration used to show compliance with § 25.121(b) with this take-off ice accretion:

(i) The V_2 speed scheduled in non-icing conditions does not provide the

maneuvering capability specified in § 25.143(h), for the take-off configuration.

Note: This requirement does not apply if the $V_{min}1g$ is increased in icing conditions, with the “Take-off Ice” accretion defined in 14 CFR part 25, appendix C, by less than 2.5 knots or 2.5 percent, whichever is greater.

In lieu of compliance with § 25.121(c)(2)(ii)(A) and (B), the following special conditions apply:

(b) In icing conditions, with the most critical of the final take-off ice accretion(s) defined in 14 CFR part 25, appendix C, if in the configuration used to show compliance with § 25.121(b)

with the take-off ice accretion used to show compliance with § 25.111(c)(5)(i):

(i) The V_{FTO} (final take-off speed) scheduled in non-icing conditions does not provide the maneuvering capability, specified in § 25.143(h), for the en-route configuration.

Note: This requirement does not apply if the $V_{min}1g$ is increased in icing conditions, with the “Final Take-off Ice” accretion defined in 14 CFR part 25, appendix C, by less than 2.5 knots or 2.5 percent, whichever is greater.

(ii) The degradation of the gradient of climb, determined in accordance with § 25.121(b), with the take-off ice accretion used in showing compliance with § 25.111(c)(5)(i), is greater than one-half of the applicable actual-to-net take-off flight path gradient reduction defined in § 25.115(b).

In lieu of compliance with 25.121(d)(2)(ii), the following special conditions apply:

(c) In icing conditions, with the most critical of the approach ice accretion(s) defined in 14 CFR part 25, appendix C, as applicable,

(i) The climb speed selected for non-icing conditions may be used if the climb speed for icing conditions, computed in accordance with § 25.121(d)(3), does not exceed that for non-icing conditions by more than the greater of 3 knots CAS or 3 percent; or,

(ii) The climb speed established with normal landing procedures, but not more than 1.4 V_{SR} (V_{SR} determined in non-icing conditions), may be used if in a configuration corresponding to the normal all-engines-operating procedure where the $V_{min}1g$ for this configuration does not exceed 110 percent of the $V_{min}1g$ for the related all-engines-operating landing configuration in icing conditions.

(3) En-Route Flight Paths

In lieu of compliance with 25.123(b)(2)(i), the following special conditions apply:

(a) In icing conditions with the most critical of the en-route ice accretion(s)

defined in 14 CFR part 25, appendix C, if:

(i) The V_{FTO} speed scheduled in non-icing conditions does not provide the maneuvering capability, specified in § 25.143(h), for the en-route configuration.

Issued in Kansas City, Missouri, on May 10, 2024.

Patrick R. Mullen,

Manager, Technical Innovation Policy Branch, Policy and Innovation Division, Aircraft Certification Service.

[FR Doc. 2024–10646 Filed 5–15–24; 8:45 am]

BILLING CODE 4910–13–P

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

[Docket No. FAA–2023–2137; Project Identifier MCAI–2022–01389–T; Amendment 39–22737; AD 2024–08–04]

RIN 2120–AA64

Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all De Havilland Aircraft of Canada Limited Model DHC–8–401 and –402 airplanes. This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This AD requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective June 20, 2024.

ADDRESSES:

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA–2023–2137; 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 mandatory continuing airworthiness information (MCAI), any comments received, and other information. The 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.

Material Incorporated by Reference:

- For De Havilland material, contact De Havilland Aircraft of Canada Limited, Dash 8 Series Customer Response Centre, 5800 Explorer Drive, Mississauga, Ontario, L4W 5K9, Canada; telephone North America (toll-free): 855-310-1013, Direct: 647-277-5820; email thd@dehavilland.com; website dehavilland.com.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available at regulations.gov under Docket No. FAA-2023-2137.

FOR FURTHER INFORMATION CONTACT:

Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone: 516-228-7300; email: 9-avs-nyaco-cos@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 all De Havilland Aircraft of Canada Limited Model DHC-8-401 and -402 airplanes. The NPRM published in the **Federal Register** on October 27, 2023 (88 FR 73775). The NPRM was prompted by AD CF-2022-59, dated October 27, 2022, issued by Transport Canada, which is the aviation authority for Canada (referred to after this as the MCAI). The MCAI states that new or more restrictive airworthiness limitations have been developed.

In the NPRM, the FAA proposed to require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is issuing this AD to address new or more restrictive maintenance interval limitations. Failure to adhere to the specified interval limitations may result in reduced structural integrity of the airplane.

You may examine the MCAI in the AD docket at regulations.gov under Docket No. FAA-2023-2137.

Discussion of Final Airworthiness Directive**Comments**

The FAA received a comment from an individual who supported the NPRM without change.

The FAA received additional comments from De Havilland Aircraft of Canada Limited and Horizon Air. The following presents the comments

received on the NPRM and the FAA's response to each comment.

Request To Update the Number of Affected Airplanes

De Havilland requested that the Costs of Compliance section of the NPRM be updated to show the correct number of affected airplanes.

The FAA agrees. The Costs of Compliance section of this AD has been updated to show 52 affected airplanes.

Request To Require Tasks as Mandated in the MCAI

Horizon Air requested that the proposed AD directly mandate maintenance review board report (MRBR) tasks instead of Aircraft Maintenance Manual (AMM) tasks. Horizon noted that Transport Canada AD CF-2022-59 mandates MRBR tasks directly, and that using the AMM tasks would put an additional burden on the operator to monitor multiple sources for the same tasks. The commenter also asserted that AMM task 77-31-00-710-803, which would be required by the proposed AD, adds MRBR tasks 731100-203, 733100-201, 740000-201, 750000-201, 772100-202, and 793000-201. These tasks are not identified in Section 7-00, PSM 1-84-7—Maintenance Requirements Manual—Part 2 ALL.

The FAA does not agree because the FAA has decided to not mandate MRBRs that are part of Candidate Certification Maintenance Requirements (CCMRs), which are required by Transport Canada AD CF-2022-59. Instead of mandating the CCMR as done in the Transport Canada AD, the FAA, after coordination with Transport Canada, determined the corresponding AMM task numbers will be used. With the AMM tasks, operators must check for all engine fault codes at once, which involves reading codes from the engine fault code indicator. Although this involves more tasks, it does not add a significant number of steps. Requiring the AMM task does not pose a significant burden on the operator. This AD has not been changed with regard to this request.

Request To Limit Required Tasks to Procedure Section

Horizon Air requested that the proposed AD require only the procedure section of the AMM, with provisions for equivalent tooling and materials, rather than requiring the entire AMM maintenance task, including the job set-up, specific tools, equipment, and close-out sections. The commenter stated that mandating the entire AMM maintenance task procedure may restrict the

operator's ability to perform other maintenance along with AMM tasks.

The FAA does not agree. The job set-up and close-out procedures are essential for ensuring the safety of maintenance personnel, and for ensuring the correct completion of the AMM task. This AD has not been changed with regard to this request.

Request To Allow Further AMM Revisions

Horizon Air requested clarification of whether future revisions of the AMM are allowed. Horizon noted that the proposed AD did not address whether task changes such as additions, removals, and interval adjustments could cause an operator to be out of compliance with the rule as issued.

The FAA agrees to clarify. Using the current revision of the AMMs or other revisions that incorporate the information specified in paragraph (g) of this AD is acceptable for compliance with this AD. This AD does not mandate using a specific revision of the AMM, provided that the revision used complies with the requirements of paragraph (g) of this AD.

Conclusion

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered the comments received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on this product. Except for minor editorial changes, and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Costs of Compliance

The FAA estimates that this AD affects 52 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

The FAA has determined that revising the maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, the agency

estimates the average total cost per operator to be \$7,650 (90 work-hours × \$85 per work-hour).

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 products 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:

2024-08-04 De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.): Amendment 39-22737; Docket No. FAA-2023-2137; Project Identifier MCAI-2022-01389-T.

(a) Effective Date

This airworthiness directive (AD) is effective June 20, 2024.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all De Havilland Aircraft of Canada Limited Model DHC-8-401 and -402 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Reason

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address new or more restrictive maintenance interval limitations. Failure to adhere to the specified interval limitations may result in reduced structural integrity of the airplane.

(f) Compliance

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

(g) Maintenance or Inspection Program Revision

Within 60 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in figure 1 to paragraph (g) of this AD. The initial compliance time for each task in the AMM Task column of figure 1 to paragraph (g) of this AD is at the time specified in the initial compliance time column of figure 1 to paragraph (g) of this AD or within 12 months after the effective date of this AD, whichever occurs later.

Figure 1 to Paragraph (g)—Maintenance or Inspection Program Revision

FIGURE 1 TO PARAGRAPH (g)—MAINTENANCE OR INSPECTION PROGRAM REVISION

Effectivity	Initial compliance time	Interval limitation	AMM task
All	10,000 total flight hours (FH)	10,000 FH	21-31-00-710-801
All	20,000 total FH	20,000 FH	21-31-00-710-803
All	20,000 total FH	20,000 FH	21-31-00-710-804
All	35,000 total FH	35,000 FH	22-11-00-720-803
All	30,000 total FH	30,000 FH	26-20-00-900-801
All	30,000 total FH	30,000 FH	26-20-00-900-802
All	30,000 total FH	30,000 FH	26-20-00-900-805
All	30,000 total FH	30,000 FH	26-20-00-900-803
All	30,000 total FH	30,000 FH	26-20-00-900-804
All	20,000 total FH	20,000 FH	26-20-00-710-801
All	20,000 total FH	20,000 FH	28-21-00-710-801
All	10,000 total FH	10,000 FH	29-12-00-720-803
All	4,950 total FH	4,950 FH	29-12-00-720-805
All	4,950 total FH	4,950 FH	29-12-00-720-802
All	4,950 total FH	4,950 FH	29-12-00-720-804
All	30,000 total FH	30,000 FH	30-11-00-710-802
All	5,280 total FH	5,280 FH	31-41-00-710-802
All	1,760 total FH	1,760 FH	32-11-00-210-802
All	30,000 total FH	30,000 FH	52-24-00-210-802
All	4,400 total FH	4,400 FH	61-20-00-710-802
All	150 total FH	150 FH	77-31-00-710-803

(h) No Alternative Actions or Intervals

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (e.g., inspections) or intervals may be used unless the actions or intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (i)(1) of this AD.

(i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: 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 responsible Flight Standards Office, as appropriate. If sending information directly to the International Validation Branch, send it to the attention of the person identified in paragraph (j)(2) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or Transport Canada; or De Havilland Aircraft of Canada Limited's Transport Canada Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Additional Information

(1) Refer to Transport Canada AD CF-2022-59, dated October 27, 2022, for related information. This Transport Canada AD may be found in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2023-2137.

(2) For more information about this AD, contact Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone: 516-228-7300; email: 9-avs-nyaco-cos@faa.gov.

(k) Material Incorporated by Reference

None.

Issued on April 17, 2024.

Victor Wicklund,

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

[FR Doc. 2024-08577 Filed 5-15-24; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2023-1737; Airspace Docket No. 23-ASO-8]

RIN 2120-AA66

Amendment of VOR Federal Airways V-44, V-128, and V-493, and United States Area Navigation Routes T-315 and T-323 in the Vicinity of York, KY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Very High Frequency Omnidirectional Range (VOR) Federal Airways V-44, V-128, and V-493, and United States Area Navigation (RNAV) Routes T-315 and T-323. The FAA is taking this action due to the planned decommissioning of the VOR portion of the York, KY (YRK), VOR/Tactical Air Navigation (VORTAC) navigational aid (NAVAID). The York VOR is being decommissioned in support of the FAA's VOR Minimum Operational Network (MON) program.

DATES: Effective date 0901 UTC, July 11, 2024. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11H, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT:

Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:**Authority for This Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in

Title 49 of the United States Code, 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the Air Traffic Service (ATS) route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA-2023-1737 in the **Federal Register** (88 FR 54952; August 14, 2023), proposing to amend VOR Federal Airways V-44, V-128, and V-493, and United States RNAV Routes T-315 and T-323 due to the planned decommissioning of the VOR portion of the York, KY, VORTAC NAVAID. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Incorporation by Reference

VOR Federal airways are published in paragraph 6010(a) and United States Area Navigation Routes (T-routes) are published in paragraph 6011 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11H, dated August 11, 2023, and effective September 15, 2023. FAA Order JO 7400.11H is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11H lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by amending VOR Federal airways V-44, V-128, and V-493, and United States RNAV routes T-315 and T-323. The FAA is taking this action due to the planned decommissioning of the VOR portion of the York, KY, VORTAC NAVAID. The ATS route actions are described below.