

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

[Docket No. FAA-2005-20481; Directorate Identifier 2004-NM-183-AD; Amendment 39-14085; AD 2005-10-08]

RIN 2120-AA64

**Airworthiness Directives; Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 airplanes. This AD requires operators to install torque tube catchers on the control columns of the flight controls. This AD is prompted by the discovery that a single malfunction of the torque tube could result in both flight control columns being supported by only one self-aligning bearing. We are issuing this AD to prevent the torque tube from fouling against the underfloor control cables, which could result in reduced controllability of the airplane.

**DATES:** This AD becomes effective June 21, 2005.

The incorporation by reference of a certain publication listed in the AD is approved by the Director of the Federal Register as of June 21, 2005.

**ADDRESSES:** For service information identified in this AD, contact Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada.

**Docket:** The AD docket contains the proposed AD, comments, and any final disposition. You can examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the U.S. Department of Transportation, 400 Seventh Street, SW, room PL-401, Washington, DC. This docket number is FAA-2005-20481; the directorate identifier for this docket is 2004-NM-183-AD.

**FOR FURTHER INFORMATION CONTACT:** Ezra Sasson, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, suite 410,

Westbury, New York 11590; telephone (516) 228-7320; fax (516) 794-5531.

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 with an AD for certain Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 airplanes. That action, published in the **Federal Register** on March 8, 2005 (70 FR 11168), proposed to require operators to install torque tube catchers on the control columns of the flight controls.

**Comments**

We provided the public the opportunity to participate in the development of this AD. We have considered the comment that has been submitted on the proposed AD. The commenter supports the proposed AD.

**Conclusion**

We have carefully reviewed the available data, including the comment that has been submitted, and determined that air safety and the public interest require adopting the AD as proposed.

**Costs of Compliance**

This AD will affect about 160 airplanes of U.S. registry. The actions will take about 9 work hours per airplane, at an average labor rate of \$65 per work hour. Required parts will cost about \$490 per airplane. Based on these figures, the estimated cost of the AD for U.S. operators is \$172,000, or \$1,075 per airplane.

**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 have determined that 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) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

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

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

**Adoption of 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 (AD):

**2005-10-08 Bombardier, Inc. (Formerly de Havilland, Inc.):** Amendment 39-14085. Docket No. FAA-2005-20481; Directorate Identifier 2004-NM-183-AD.

**Effective Date**

- (a) This AD becomes effective June 21, 2005.

**Affected ADs**

- (b) None.

**Applicability**

- (c) This AD applies to Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 airplanes, serial numbers 003 through 584 inclusive; certificated in any category.

**Unsafe Condition**

- (d) This AD is prompted by the discovery that a single malfunction of the torque tube could result in both flight control columns being supported by only one self-aligning bearing. We are issuing this AD to prevent the torque tube from fouling against the

underfloor control cables, which could result in reduced controllability of the airplane.

#### Compliance

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

#### Installation

(f) Within 5,000 flight hours after the effective date of this AD, install control column torque tube catchers on the control columns of the flight controls by incorporating Modsum 8Q101338 in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 8-27-90, dated October 28, 2003.

#### Alternative Methods of Compliance

(g) The Manager, New York Aircraft Certification Office, FAA, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

#### Related Information

(h) Canadian airworthiness directive CF-2004-08, dated April 20, 2004, also addresses the subject of this AD.

#### Material Incorporated by Reference

(i) You must use Bombardier Service Bulletin 8-27-90, dated October 28, 2003, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approves the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To get copies of the service information, contact Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. To view the AD docket, go to the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Nassif Building, Washington, DC. To review copies of the service information, contact the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on May 4, 2005.

**Kalene C. Yanamura,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 05-9467 Filed 5-16-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2005-20594; Directorate Identifier 2004-NM-213-AD; Amendment 39-14084; AD 2005-10-07]

**RIN 2120-AA64**

#### Airworthiness Directives; Fokker Model F.28 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for all Fokker Model F.28 series airplanes. This AD requires a one-time inspection of the area underneath the auxiliary power unit (APU) enclosure to determine if drain tubes in the area are correctly installed and to detect damaged wiring, and corrective action if necessary. This AD is prompted by a report of a fire under the APU enclosure. We are issuing this AD to prevent fuel from accumulating under the APU enclosure, which, in the presence of an ignition source, could result in a fire.

**DATES:** This AD becomes effective June 21, 2005.

The incorporation by reference of certain publications listed in the AD is approved by the Director of the Federal Register as of June 21, 2005.

**ADDRESSES:** For service information identified in this AD, contact Fokker Services B.V., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands.

**Docket:** The AD docket contains the proposed AD, comments, and any final disposition. You can examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Washington, DC. This docket number is FAA-2005-20594; the directorate identifier for this docket is 2004-NM-213-AD.

**FOR FURTHER INFORMATION CONTACT:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1137; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 with an AD for all Fokker Model F.28 series airplanes. That action, published in the **Federal Register** on March 15, 2005 (70 FR 12612), proposed to require a one-time inspection of the area underneath the auxiliary power unit enclosure to determine if drain tubes in the area are correctly installed and to detect damaged wiring, and corrective action if necessary.

#### Comments

We provided the public the opportunity to participate in the development of this AD. No comments have been submitted on the proposed AD or on the determination of the cost to the public.

#### Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

#### Costs of Compliance

This AD will affect about 4 airplanes of U.S. registry. The required inspection will take about 1 work hour per airplane, at an average labor rate of \$65 per work hour. Based on these figures, the estimated cost of the AD for U.S. operators is \$260, or \$65 per airplane.

#### 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 have determined that 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