

§ 58.43 Fees for inspection, grading, sampling, and certification.

Except as otherwise provided in §§ 58.38 through 58.46 and through the last day of January 2014 inclusive, charges shall be made for inspection, grading, and sampling service at the hourly rate of \$75.00 for services performed between 6 a.m. and 6 p.m. and at \$82.40 for services performed between 6 p.m. and 6 a.m. for service performed for the time required to perform the service calculated to the nearest 15-minute period, including the time required for preparation of certificates and reports and the travel time of the inspector or grader in connection with the performance of the service. Starting the first day of February 2014, the hourly rate will be equal to \$82.00 for service performed between 6 a.m. and 6 p.m. and \$90.20 for services performed between 6 p.m. and 6 a.m. calculated in the same manner. A minimum charge of one-half hour shall be made for service pursuant to each request or certificate issued. Charges for service performed in excess of the assigned tour of duty shall be made at a rate of 1½ times the rate stated in this section. The hourly rate for work regarding compliance with European Union Health Certification Program derogation applications and/or review shall be assessed at \$68.00.

■ 3. Revise § 58.45 to read as follows:**§ 58.45 Fees for continuous resident services.**

Irrespective of the fees and charges provided in §§ 58.39 and 58.43, charges for the inspector(s) and grader(s) assigned to a continuous resident program shall be made at the rate of \$69.00 per hour for services performed during the assigned tour of duty until the last day of January 2013. Starting the first day of February 2014, the hourly rate shall be assessed at \$76.00 for services calculated in the same manner. Charges for service performed in excess of the assigned tour of duty shall be made at a rate of 1½ times the rate stated in this section.

Dated: June 21, 2013

Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2013-15331 Filed 6-26-13; 8:45 am]

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

[Docket No. **FAA-2013-0314**; Directorate Identifier **2013-CE-004-AD**; Amendment **39-17490**; AD **2013-13-02**]

RIN 2120-AA64

Airworthiness Directives; B-N Group Ltd. Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all B-N Group Ltd. Models BN-2, BN-2A, BN2A MK. III, BN2A MK. III-2, BN2A MK. III-3, BN-2A-2, BN-2A-20, BN-2A-21, BN-2A-26, BN-2A-27, BN-2A-3, BN-2A-6, BN-2A-8, BN-2A-9, BN-2B-20, BN-2B-21, BN-2B-26, BN-2B-27, BN-2T, and BN-2T-4R airplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued 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 inadequate sealing of the fuel filler cap (fuel tank cap) and the fuel filler receptacle (fuel tank opening), which could lead to contaminated fuel and result in in-flight shutdown of the engine. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective August 1, 2013.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of August 1, 2013.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at Document Management Facility, 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 service information identified in this AD, contact Britten-Norman Aircraft Ltd, Commodore House, Mountbatten Business Centre, Millbrook Road East, Southampton SO15 1HY, United Kingdom; telephone: +44 01983 872511; fax: +44 01983 873246; email: info@bnaircraft.com; Internet: www.britten-norman.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.

FOR FURTHER INFORMATION CONTACT:

Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4138; fax: (816) 329-4090; email: taylor.martin@faa.gov.

SUPPLEMENTARY INFORMATION:**Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on April 9, 2013 (78 FR 21072). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Preliminary investigations into a recent engine failure on a BN2 aeroplane have attributed the event to water contaminated fuel. The contamination is suspected to have occurred due to inadequate sealing between a post-mod NB-M-477 fuel filler cap and a pre-mod NB-M-477 fuel filler receptacle. This condition, if not detected and corrected, could lead to fuel water contamination, possibly resulting in in-flight shut down of the engine.

For the reasons described above, this AD requires a one-time inspection of the fuel filler cap and fuel filler receptacle to determine whether they are at the same modification state and, depending on findings, accomplishment of applicable corrective action(s). To mitigate the risk of water contamination pending the installation of matching fuel filler cap and receptacle, this AD also requires daily pre-flight water contamination checks.

You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (78 FR 21072, April 9, 2013) or on the determination of the cost to the public.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (78 FR 21072, April 9, 2013) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (78 FR 21072, April 9, 2013).

Costs of Compliance

We estimate that this AD will affect 114 products of U.S. registry. We also estimate that it will take about 1 work-hour per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$0 per product.

Based on these figures, we estimate the cost of the AD on U.S. operators to be \$9,690, or \$85 per product.

In addition, we estimate that any necessary follow-on actions will take about 1 work-hour and require parts costing \$400, for a cost of \$485 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 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 this AD:

- (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.

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 the NPRM, the MCAI, 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.

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 AD:

2013-13-02 B-N Group Ltd.: Amendment 39-17490; Docket No. FAA-2013-0314; Directorate Identifier 2013-CE-004-AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective August 1, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to B-N Group Ltd. Models BN-2, BN-2A, BN2A MK. III, BN2A MK. III-2, BN2A MK. III-3, BN-2A-2, BN-2A-20, BN-2A-21, BN-2A-26, BN-2A-27, BN-2A-3, BN-2A-6, BN-2A-8, BN-2A-9, BN-2B-20, BN-2B-21, BN-2B-26, BN-2B-27, BN-2T, and BN-2T-4R airplanes, all serial numbers, certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 28: Fuel.

(e) Reason

This AD was prompted by 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 inadequate

sealing of the fuel filler cap (fuel tank cap) and the fuel filler receptacle (fuel tank opening). We are issuing this AD to prevent, detect, and correct inadequate sealing of the fuel filler cap (fuel tank cap) and the fuel filler receptacle (fuel tank opening), which could lead to contaminated fuel and result in in-flight shutdown of the engine.

(f) Actions and Compliance

Unless already done, do the following actions as specified in paragraphs (f)(1) through (f)(5) of this AD:

(1) Within the next 30 days after August 1, 2013 (the effective date of this AD), inspect the aircraft fuel replenishment points on the top surface of the wings to determine that the fuel filler cap (fuel tank cap) matches the fuel filler receptacle (fuel tank opening) following the instructions of paragraph 6 of Britten-Norman Service Bulletin Number SB 332, Issue 1, dated December 6, 2012.

(2) If a mismatch of the fuel filler cap and the fuel filler receptacle is found during the inspection required by paragraph (f)(1) of this AD, within 3 calendar months after August 1, 2013 (the effective date of this AD), install the correct fuel filler cap to match the fuel filler receptacle installed on the airplane following the instructions of paragraph 6 of Britten-Norman Service Bulletin Number SB 332, Issue 1, dated December 6, 2012.

(3) If a mismatch of the fuel filler cap and the fuel filler receptacle is found during the inspection required by paragraph (f)(1) of this AD, before further flight and thereafter during each daily pre-flight check, do water contamination checks of the gascolators and fuel tank sump drains, including those of the wing tip tanks if installed. This check is in addition to the normal daily checks already required.

(4) The modification required by paragraph (f)(2) of this AD terminates the daily pre-flight water contamination checks as specified in paragraph (f)(3) of this AD.

(5) After August 1, 2013 (the effective date of this AD), do not install on any airplane a fuel filler cap that does not match the fuel filler receptacle and has the correct seal.

(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: Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4138; fax: (816) 329-4090; email: taylor.martin@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.

(h) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2012-0270, dated December 20, 2012, for related information, which can be found in the AD docket on the Internet at <http://www.regulations.gov>.

(i) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Britten-Norman Service Bulletin Number SB 332, Issue 1, dated December 6, 2012.

(ii) Reserved.

(3) For B-N Group Ltd. service information identified in this AD, contact Britten-Norman Aircraft Ltd, Commodore House, Mountbatten Business Centre, Millbrook Road East, Southampton SO15 1HY, United Kingdom; telephone: +44 01983 872511; fax: +44 01983 873246; email: info@bnaircraft.com; Internet: www.britten-norman.com.

(4) You may view this service information at 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.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Kansas City, Missouri, on June 18, 2013.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2013-0019; Directorate Identifier 2010-SW-051-AD; Amendment 39-17485; AD 2013-12-07]

RIN 2120-AA64

Airworthiness Directives; Bell Helicopter Textron Canada Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for Bell

Helicopter Textron Canada (BHTC) Model 407 helicopters with certain tailboom assemblies installed. This AD requires, at specified intervals, inspecting the tailboom assembly for a crack, loose rivet, or other damage. This AD was prompted by a stress analysis of the tailboom skin that revealed that high-stress-concentration areas are susceptible to skin cracking. This condition, if not detected, could result in a crack in the tailboom assembly, failure of the tailboom, and subsequent loss of control of the helicopter.

DATES: This AD is effective August 1, 2013.

The Director of the Federal Register approved the incorporation by reference of a certain document listed in this AD as of August 1, 2013.

ADDRESSES: For service information identified in this AD, contact Bell Helicopter Textron Canada Limited, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4; telephone (450) 437-2862 or (800) 363-8023; fax (450) 433-0272; or at <http://www.bellcustomer.com/files/>. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

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 AD, any incorporated-by-reference service information, the economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (phone: 800-647-5527) is U.S. Department of Transportation, Docket Operations Office, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Sharon Miles, Aerospace Engineer, FAA, Regulations and Policy Group, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222-5110; fax (817) 222-5110; email sharon.y.miles@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

Transport Canada, which is the aviation authority for Canada, has issued AD CF-2009-07, dated March 6, 2009 (AD CF-2009-07), to correct an unsafe condition for the BHTC Model 407 helicopters with a tailboom assembly, part number (P/N) 407-030-

801-201, -203, or -205. Transport Canada states that a stress analysis of the chemically milled tailboom skin "revealed a possibility of skin cracking due to high stress concentration areas." Transport Canada advises that this condition, if not detected, could result in "serious damage to the tailboom."

On February 1, 2013, at 78 FR 7308, the **Federal Register** published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 to include an AD that would apply to BHTC Model 407 helicopters, with tailboom assembly part number (P/N) 407-030-801-201, 407-030-801-203, or 407-030-801-205. The NPRM proposed to require, at specified intervals, inspecting the tailboom assembly for a crack, loose rivet, or other damage. The proposed requirements were intended to prevent a crack in the tailboom assembly, failure of the tailboom, and subsequent loss of control of the helicopter.

Comments

We gave the public the opportunity to participate in developing this AD, but we received no comments on the NPRM (78 FR 7308, February 1, 2013).

FAA's Determination

These helicopters have been approved by the aviation authority of Canada and are approved for operation in the United States. Pursuant to our bilateral agreement with Canada, Transport Canada, its technical representative, has notified us of the unsafe condition described in its AD. We are issuing this AD because we evaluated all information provided by Canada and determined that an unsafe condition exists and is likely to exist or develop on other helicopters of these same type designs and that air safety and the public interest require adopting the AD requirements as proposed.

Differences Between This AD and the Transport Canada AD

The Transport Canada AD states to perform the inspections of the tailboom "in accordance with inspection procedures as per applicable part" of the ASB. This proposed AD references only specific sections of the ASB for accomplishing the requirements.

Related Service Information

BHTC has issued Alert Service Bulletin No. 407-08-84, dated August 18, 2008 (ASB), which specifies a new inspection schedule for the tailboom assemblies. BHTC states it has not received any field reports indicating cracked skin in service on the tailboom assemblies. However, in the interest of