

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

[Docket No. FAA-2008-0830; Directorate Identifier 2007-NM-285-AD; Amendment 39-15711; AD 2008-22-15]

RIN 2120-AA64

**Airworthiness Directives; Dassault Model Falcon 2000EX Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are superseding an existing airworthiness directive (AD) for the products listed above. This AD results from 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:

Investigations after a CAS (crew alerting system) message "ENG 1 FIRE DETECT FAIL" that occurred on an in-service aircraft revealed that the detector threshold tolerances could not permit to identify the failure of one single engine fire detector loop out of the two present on each engine. The fire detection system integrity is therefore not correctly monitored.

\* \* \* \* \*

We are issuing this AD to require actions to correct the unsafe condition on these products.

**DATES:** This AD becomes effective December 11, 2008.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of December 11, 2008.

The Director of the Federal Register approved the incorporation by reference of Dassault Service Bulletin F2000EX-137, Revision 1, dated December 7, 2006, listed in this AD as of February 2, 2007 (72 FR 2177, January 18, 2007).

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149.

**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 August 4, 2008 (73 FR 45176) and proposed to supersede AD 2007-02-01, Amendment 39-14888 (72 FR 2177, January 18, 2007). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Investigations after a CAS (crew alerting system) message "ENG 1 FIRE DETECT FAIL" that occurred on an in-service aircraft revealed that the detector threshold tolerances could not permit to identify the failure of one single engine fire detector loop out of the two present on each engine. The fire detection system integrity is therefore not correctly monitored.

Airworthiness Directive (AD) No 2006-0356-E [which corresponds to FAA AD 2007-02-01] was initially issued to mandate the verification of the fire detection system integrity by a one time inspection.

The current AD mandates installation of two new fire monitoring units of an improved design, each one of them is capable of monitoring the integrity of both detectors on the associated engine.

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 or on the determination of the cost to the public.

**Conclusion**

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

**Differences Between This AD and the MCAI or Service Information**

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are highlighted in a NOTE within the AD.

**Costs of Compliance**

We estimate that this AD will affect about 42 products of U.S. registry. We also estimate that it will take about 3 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$80 per work-hour. Required parts will cost about \$0 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$10,080, or \$240 per product.

**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); 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 and placed it in the AD docket.

### 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 the NPRM, 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.

### 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 removing Amendment 39-14888 (72 FR 2177, January 18, 2007) and adding the following new AD:

#### 2008-22-15 Dassault Aviation:

Amendment 39-15711. Docket No. FAA-2008-0830; Directorate Identifier 2007-NM-285-AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective December 11, 2008.

#### Affected ADs

(b) This AD supersedes AD 2007-02-01, Amendment 39-14888.

#### Applicability

(c) This AD applies to Dassault Model Falcon 2000EX airplanes, certificated in any category, serial number (S/N) 06 and from S/N 28 to 107 inclusive, without modification M2958 implemented.

#### Subject

(d) Air Transport Association (ATA) of America Code 26: Fire Protection.

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

“Investigations after a CAS (crew alerting system) message “ENG 1 FIRE DETECT

FAIL” that occurred on an in-service aircraft revealed that the detector threshold tolerances could not permit to identify the failure of one single engine fire detector loop out of the two present on each engine. The fire detection system integrity is therefore not correctly monitored.

“Airworthiness Directive (AD) No 2006-0356-E [which corresponds to FAA AD 2007-02-01] was initially issued to mandate the verification of the fire detection system integrity by a one time inspection.

“The current AD mandates installation of two new fire monitoring units of an improved design, each one of them is capable of monitoring the integrity of both detectors on the associated engine.”

### Restatement of Requirements of AD 2007-02-01

(f) Unless already done, do the following actions. Within 35 days after February 2, 2007 (the effective date of AD 2007-02-01), perform an engine fire detection integrity check as required by paragraphs (f)(1), (f)(2), and (f)(3) of this AD in accordance with Dassault Service Bulletin F2000EX-137, Revision 1, dated December 7, 2006. Doing the replacement required by paragraph (g) of this AD terminates the requirements of this paragraph.

(1) First, in the baggage compartment, on each mobile connector of the monitoring units (L320WG) and (R320WG), the equivalent resistance of the two engine detectors at the LH (left-hand) and the RH (right-hand) sides must be verified. According to findings, the corresponding system is either considered correct or incorrect.

(2) As a second step, if either one or both the LH and the RH system is (are) found to be incorrect, it is required to check the actual resistance of both detectors of the incorrect system(s) on the affected engine(s).

(3) Any faulty detector must be replaced prior to further flight.

(4) Actions done before February 2, 2007, in accordance with Dassault Service Bulletin F2000EX-137, dated November 23, 2006, are acceptable for compliance with the requirements of paragraph (f) of this AD.

### New Requirements of This AD: Actions and Compliance

(g) Unless already done, within the next 12 months after the effective date of this AD, remove the two fire monitoring units having part number (P/N) 6342-01 and replace them with new ones having P/N 6342-02 in accordance with the Accomplishment Instructions of Dassault Mandatory Service Bulletin F2000EX-138, dated March 5, 2007. Doing the replacement terminates the requirements of paragraph (f) of this AD.

### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: No differences.

### Other FAA AD Provisions

(h) 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. Send information to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149. 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.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

### Related Information

(i) Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2007-0119, dated May 2, 2007; Dassault Service Bulletin F2000EX-137, Revision 1, dated December 7, 2006; and Dassault Mandatory Service Bulletin F2000EX-138, dated March 5, 2007; for related information.

### Material Incorporated by Reference

(j) You must use Dassault Service Bulletin F2000EX-137, Revision 1, dated December 7, 2006; and Dassault Mandatory Service Bulletin F2000EX-138, dated March 5, 2007; to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of Dassault Mandatory Service Bulletin F2000EX-138, dated March 5, 2007, under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The Director of the Federal Register previously approved the incorporation by reference of Dassault Service Bulletin F2000EX-137, Revision 1, dated December 7, 2006, on February 2, 2007 (72 FR 2177, January 18, 2007).

(3) For service information identified in this AD, contact Dassault Falcon Jet, P.O. Box 2000, South Hackensack, New Jersey 07606; telephone 201-440-6700; Internet <http://www.dassaultfalcon.com>.

(4) You may review copies at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or 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 Renton, Washington, on October 9, 2008.

Ali Bahrami,

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. E8-25754 Filed 11-5-08; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2008-0990 Directorate Identifier 2008-CE-060-AD; Amendment 39-15724; AD 2008-23-03]

RIN 2120-AA64

#### Airworthiness Directives; Pilatus Aircraft Ltd. Model PC-6 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for the products listed above. 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:

This Airworthiness Directive (AD) is prompted by a potential problem with the freedom of the brake pedals of some PC-6 series aircraft.

The freedom of the brake pedals could be prevented because of an insufficient clearance between the rudder bar lugs on a few aircraft. In such conditions, it is possible that the master brake cylinder is not re-filled with the fluid from the reservoir, which can lead to a degradation of brake effectiveness. Mostly during landing, this can lead to difficulties with the directional control of the aircraft on ground and could cause a runway excursion.

We are issuing this AD to require actions to correct the unsafe condition on these products.

**DATES:** This AD becomes effective December 11, 2008.

On December 11, 2008, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

**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 FURTHER INFORMATION CONTACT:

Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4059; fax: (816) 329-4090.

#### 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 September 17, 2008 (73 FR 53764). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

This Airworthiness Directive (AD) is prompted by a potential problem with the freedom of the brake pedals of some PC-6 series aircraft.

The freedom of the brake pedals could be prevented because of an insufficient clearance between the rudder bar lugs on a few aircraft. In such conditions, it is possible that the master brake cylinder is not re-filled with the fluid from the reservoir, which can lead to a degradation of brake effectiveness. Mostly during landing, this can lead to difficulties with the directional control of the aircraft on ground and could cause a runway excursion.

For the reason stated above, the present Airworthiness Directive mandates a check of the brake pedals for full and free movement and, if any damage is found, the modification of the brake pedals to restore their freedom.

##### Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

##### Conclusion

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

#### Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow FAA policies.

Any such differences are highlighted in a NOTE within the AD.

#### Costs of Compliance

Based on the service information, we estimate that this AD will affect 50 products of U.S. registry. We also estimate that it will take about 2 work-hours per product to comply with basic requirements of this AD. The average labor rate is \$80 per work-hour.

Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$8,000 or \$160 per product.

In addition, we estimate that any necessary follow-on actions would take about 10 work-hours and require parts costing \$100, for a cost of \$900 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 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.