(A) Inspect the IP shaft rigid coupling splines as specified in paragraphs (f)(1) or (f)(2) of this AD as applicable and determine the next inspection interval using Figure 10 of RR RB211 Trent 900 Series Propulsion Systems Alert NMSB No. RB.211–72–AG329, Revision 4, dated March 23, 2012; and

(B) Do not install an engine that has an IP shaft with an average spline crest length measured dimension of less than 0.5 mm.

(ii) Before installing an engine in the same position on the airplane it was removed from:

(A) Inspect the IP shaft rigid coupling splines using paragraph (f)(1) or (f)(2) of this AD as applicable and determine the next inspection interval; and

(B) Do not install an engine that has an IP shaft with an average spline crest length measured dimension of less than 0.5 mm.

(g) Engines That Have Incorporated RR RB211 Trent 900 Series Propulsion Systems SB No. RB.211–72–G585, Original Issue, or Any Revision

(1) On-Wing Borescope Inspections

(i) Initially borescope-inspect the IP shaft rigid coupling splines before accumulating 400 FCSN or 400 cycles since the last inspection per paragraph (g)(2)(i) of this AD. Use paragraphs 3.A.(2) of RR RB211 Trent 900 Series Propulsion Systems Alert NMSB No. RB.211–72–AG871, dated March 23, 2012, to do the inspection.


(2) In-Shop Inspections

(i) At every shop visit after the effective date of this AD, where the IP shaft rigid coupling is exposed, visually inspect and MPI the IP shaft rigid coupling splines.


(A) If at the time of initial inspection, the average value of length “B” is equal to, or less than, 6.00 mm, repeat the borescope inspection using paragraph (g)(1) or (g)(2) of this AD within 400 flight cycles.

(B) If at the time of initial inspection the average value of length “B” is greater than 6.00 mm, MPI the IP turbine shaft, and visually inspect and MPI the intermediate turbine shaft and IP rigid coupling.

(3) After Any Shop Inspection

After any shop inspection, where the rigid coupling is exposed, perform a borescope inspection per paragraph (g)(1) of this AD within 400 cycles after the in-shop visual inspection and MPI.

(h) Definition

For the purpose of this AD, a shop visit is the induction of an engine into the shop for maintenance involving the separation of pairs of mating engine flanges, except that the separation of engine flanges solely for the purposes of transportation without subsequent engine maintenance does not constitute an engine shop visit.

(i) Credit for Previous Actions for Engines That Have Not Incorporated RR RB211 Trent 900 Series Propulsion Systems SB No. RB.211–72–G585

If you performed inspections and corrective actions that are required by paragraph (f) of this AD using RR RB211 Trent 900 Series Propulsion Systems Alert NMSB No. RB.211–72–AG329, Original Issue, dated November 26, 2009; Revision 1, dated January 13, 2010; Revision 2, dated July 7, 2010; or Revision 3, dated November 25, 2010, before the effective date of this AD, you have met the requirements of paragraph (f) of this AD.

(j) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request.

(k) Related Information


(3) RB211–Trent 900 Engine Manual, tasks 72–33–21–200–804 and 72–00–00–200–808, pertain to the visual inspections and MPIs required by this AD.

(l) Material Incorporated by Reference

(1) You must use the following service information to do the actions required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference (IBR) under 5 U.S.C. 552(a) and 1 CFR part 51 of the following service information:


(3) You may review copies at the FAA, New England Region, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

(4) You may also review copies of the 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 Burlington, Massachusetts, on June 5, 2012.

Peter A. White,
Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2012–15985 Filed 6–29–12; 8:45 am]

BILING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; Empresa Brasileria de Aeronautica S.A. (EMBRAER) Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Empresa Brasileria de Aeronautica S.A. (EMBRAER) Model EMB–505 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 an inadequate amount of drain holes in the primary control surfaces (rudder, elevator, and aileron) and their tab surfaces, which may allow water to accumulate in the control surfaces. This condition could cause unbalanced flight control surfaces and reduced flutter margins, which could result in loss of control of the airplane. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective August 6, 2012.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of August 6, 2012.

For service information identified in this AD, contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), Phenom Maintenance Support, Av. Brigadeiro Faria Lima, 2170, São José dos Campos—SP, CEP: 12227–901—PO Box 36/2, BRASIL; fax ++55 12 3927–2619; email phenom.reliability@embraer.com.br; Internet: http://www.embraer.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: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4163; fax: (816) 329–4090; email: jim.rutherford@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 24, 2012 (77 FR 24425). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

It has been found that certain regions of the rudder, elevator, ailerons, and their tabs surfaces does not present adequate drainage capacity to avoid water accumulation inside of these control surfaces. Internal water accumulation may lead to flight control surfaces unbalancing possibly reducing the flutter margins, which could result in loss of airplane control.

The MCAI requires visually inspecting the control surfaces (rudder, elevator, and aileron) and their tab surfaces for the existence of required drain holes and modifying the control surfaces by drilling drain holes. 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 (77 FR 24425, April 24, 2012) 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 (77 FR 24425, April 24, 2012) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (77 FR 24425, April 24, 2012).

Costs of Compliance

We estimate that this AD will affect 38 products of U.S. registry. We also estimate that it will take from .5 work-hour to 2 work-hours per product for 10 of the affected airplanes to comply with the basic inspection requirements of this AD. The average labor rate is $85 per work-hour.

Based on these figures, we estimate the cost of the inspection on U.S. operators to be from $425 to $1,700, or $42.50 to $170 per product.

In addition, we estimate that any necessary follow-on actions will take from 2 work-hours to 38 work-hours and require parts costing $50, for a cost from $220 to $2,380 per product. We have no way of determining the number of products that may need these actions.

We also estimate that it will take from 19 work-hours to 27 work-hours per product for 36 of the affected airplanes to comply with basic modification requirements of this AD. The average labor rate is $85 per work-hour.

Required parts will cost about $100 per product.

Based on these figures, we estimate the cost of the modification on U.S. operators to be from $61,740, to $86,220, or $1,715 to $2,395 per product.

According to the manufacturer, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our 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.

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 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 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

§ 39.13 [Amended]

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:

(ii) Within the next 24 months after August 6, 2012 (the effective date of this AD), inspect the ailerons, elevators, and rudder for the existence of required drain holes.

(iii) Before further flight after the inspection required in paragraph (f)(3)(ii) of this AD, if the required drain holes do not exist, drill the drain holes.


(f) Actions and Compliance

Unless already done, do the following actions:

(i) Material Incorporated by Reference

The following provisions also apply to this AD:


(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 Jim Rutherford, Aerospace Engineer 1, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: jim.rutherford@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) Airworthiness 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, a federal agency may not conduct or sponsor, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES–200.

(h) Related Information


(i) Material Incorporated by Reference

(1) You must use the following service information to do the actions required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference (IBR) under 5 U.S.C. 552(a) and 1 CFR part 51 of the following service information on:

(i) EMBRAER Phenom Service Bulletin No. 505–57–0002, dated February 13, 2012;

(ii) EMBRAER Phenom Service Bulletin No. 505–57–0003, dated November 16, 2011;


(2) For service information identified in this AD, contact Empresa Brasileira de Aeronáutica S.A. (EMBRAER), Phenom Maintenance Support, Av. Brigadeiro Faria Lima, 2170, São José dos Campos—SP, CEP: 12246–901; (+55 12 3927–2619; email phenom.reliability@embrarer.com.br; Internet: http://www.embraer.com.

(3) You may review copies of the service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the
DEPARTMENT OF COMMERCE
Bureau of Industry and Security
15 CFR Part 774
[Docket No. 120112039–2176–03]
RIN 0694–AF45

Implementation of the Understandings Reached at the 2011 Australia Group (AG) Plenary Meeting and Other AG-Related Clarifications to the EAR

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to implement the understandings reached at the June 2011 plenary meeting of the Australia Group (AG). The AG is a multilateral forum consisting of 40 participating countries that maintain export controls on a list of chemicals, biological agents and agents, related equipment and technology that could be used in a chemical or biological weapons program. The AG periodically reviews items on its control list to enhance the effectiveness of participating governments’ national controls and to achieve greater harmonization among participating countries at the 2011 AG plenary meeting adopted understandings that affected the AG “List of Biological Agents for Export Control,” the AG “Control List of Dual-Use Chemical Manufacturing Facilities and Equipment and Related Technology and Software” and the AG “Control List of Dual-Use Biological Equipment and Related Technology and Software.”

This rule amends Export Control Classification Numbers (ECCNs) 1C351 and 1C353 to reflect the AG changes to the “List of Biological Agents for Export Control.” Specifically, ECCN 1C351 (Human and zoonotic pathogens and “toxins”) is amended by revising the introductory text to specify the control parameters for pumps (tangential) flow filtration equipment capable of separation of pathogenic microorganisms, viruses, toxins or cell cultures.

Finally, this rule amends ECCNs 2B350.i and 2B352 to clarify certain control parameters for pumps (i.e., multiple-seal and seal-less pumps and steam sterilizable freeze-drying (lyophilization) equipment, respectively. Specifically, ECCN 2B350.i is amended by adding two parenthetical phrases in the introductory text to specify the maximum flow-rate of such pumps in liters of water per hour, as follows: “multiple-seal and seal-less pumps with manufacturer’s specified maximum flow-rate greater than 0.6 m³/hour (600 liters/hour), or vacuum pumps with manufacturer’s specified maximum flow-rate greater than 5 m³/hour (5,000 liters/hour).” ECCN 2B352.e is amended