to the International Branch, send it to ATTN: Cindy Ashforth, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone (425) 227–2768; fax (425) 227–1149. Information Airworthiness may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/ certificate holding district office. The AMOC approval letter must specifically reference this AD.

(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.

(k) Related Information
Refer to MCAI Brazilian Airworthiness Directive 2011–05–04, effective June 16, 2011, and the service information specified in paragraphs (k)(1) through (k)(4) of this AD, for related information.


(l) 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.

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

(3) The following service information was approved for IBR on January 14, 2013.


(4) The following service information was approved for IBR on July 6, 2012 (75 FR 30727, June 11, 2010).


For service information identified in this AD, contact Embraer S.A., Technical Publications Section (PC 060), Av. Brigadeiro Faria Lima, 2170–Putum—12227–901 São José dos Campos—SP—BRASIL; telephone +55 12 3927–5852 or +55 12 3309–0732; fax +55 12 3927–7546; email distrib@embraer.com.br; Internet http://www.flyembraer.com.br.

(6) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(7) 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-search/

Issued in Renton, Washington, on November 13, 2012.

John P. Piccola,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

FR Doc. 2012–28173 Filed 12–7–12; 8:45 am

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; Agusta S.p.A. (Type Certificate Currently Held by AgustaWestland S.p.A.) (Agusta) Helicopters

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

ACTION: Final rule; request for comments.

SUMMARY: We are publishing a new airworthiness directive (AD) for Agusta Model AW139 helicopters, which was sent previously to all known U.S. owners and operators of these helicopters. This AD requires inspecting the pilot’s and co-pilot’s collective and cyclic control sticks for correctly installed attaching hardware. This AD is prompted by a report of an incorrectly installed pilot’s collective stick, pilot’s cyclic stick, and co-pilot’s cyclic stick. These actions are intended to prevent detachment of the cyclic or collective control stick, and subsequent loss of control of the helicopter.

DATES: This AD becomes effective December 26, 2012 to all persons except those persons to whom it was made immediately effective by Emergency AD 2012–21–52, issued on October 23, 2012, which contained the requirements of this AD.

We must receive comments on this AD by February 8, 2013.

ADDRESSES: You may send comments by any of the following methods:

• Federal eRulemaking Docket: Go to http://www.regulations.gov. Follow the online instructions for sending your comments electronically.

• Fax: 202–493–2251.

• Mail: Send comments to the U.S. Department of Transportation, Docket Operations, M–30, West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.

For Hand Delivery: Deliver to the “Mail” address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examine 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, the economic 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.

For service information identified in this AD, contact AgustaWestland, Customer Support & Services, Via Per Tornavento 15, 21019 Somma Lombardo (VA) Italy, ATTN: Giovanni Cecchelli; telephone 39–0331–711133; fax 39 0331 711180; or at http://www.agustawestland.com/technical-bulletins. 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.

FOR FURTHER INFORMATION CONTACT: Robert Grant, Aviation Safety Engineer,
Safety Management Group, FAA, 2601
Meacham Blvd., Fort Worth, Texas
76137; telephone 817–222–5328; email
robert.grant@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

This AD is a final rule that involves
requirements affecting flight safety, and
we did not provide you with notice and
an opportunity to provide your
comments prior to it becoming effective.
However, we invite you to participate in
this rulemaking by submitting written
comments, data, or views. We also
invite comments relating to the
economic, environmental, energy, or
federalism impacts that resulted from
adopting this AD. The most helpful
comments reference a specific portion of
the AD, explain the reason for any
recommended change, and include
supporting data. To ensure the docket
does not contain duplicate comments,
commenters should send only one copy
of written comments, or if comments are
filed electronically, commenters should
submit them only one time. We will file
in the docket all comments that we
receive, as well as a report summarizing
each substantive public contact with
FAA personnel concerning this
rulemaking during the comment period.
We will consider all the comments we
receive and may conduct additional
rulemaking based on those comments.

Discussion

On October 23, 2012, we issued
Emergency AD 2012–21–52, which
requires inspecting the pilot’s and co-
pilot’s collective and cyclic control
sticks for correctly installed attaching
hardware, and reinstalling the affected
stick before further flight if the
hardware is not correct. The European
Aviation Safety Agency (EASA), which
is the Technical Agent for the Member
States of the European Union, issued
EASA AD No. 2012–0213–E, dated
October 16, 2012, to correct an unsafe
condition for certain Agusta Model
AW139 helicopters. EASA advises that
an incident of an incorrectly installed
pilot’s collective stick, pilot’s cyclic
stick, and co-pilot’s cyclic stick was
reported. This condition, if not detected
and corrected, could lead to in-flight
detachment of the cyclic or collective
sticks and subsequent loss of control of
the helicopter.

FAA’s Determination

These helicopters have been approved
by the aviation authority of Italy and are
approved for operation in the United
States. Pursuant to our bilateral
agreement with Italy, EASA, its
technical representative, has notified us
of the unsafe condition described in the
EASA AD. We are issuing this AD
because we evaluated all information
provided by EASA and determined the
unsafe condition exists and is likely to
exist or develop on other helicopters of
the same type design.

Related Service Information

Agusta has issued Bollettino Tecnico
(BT) No. 139–308, dated October 16,
2012. The BT describes procedures to
inspect the pilot’s and co-pilot’s
collective and cyclic sticks for the
correct installation of bolts, washers,
self-locking nuts, cotter pins, ring nuts,
and quick-release pins. If any collective
or cyclic stick is incorrectly installed,
the BT requires reinstalling the affected
control stick.

AD Requirements

This AD requires, within 5 hours
time-in-service (TIS):

• Inspecting the pilot collective and
cyclic control sticks for the correct
installation of the attachment bolts,
washers, self-locking nuts, and cotter
pins. If the installed hardware is not
as prescribed in this AD, before further
flight, reinstalling the pilot collective
or cyclic control stick.

• Inspecting the co-pilot collective
and cyclic control sticks for the correct
installation of the ring nuts and
quick-release pins. If the installed
hardware is not as prescribed in this
AD, before further flight, reinstalling the co-pilot
collective or cyclic control stick.

Differences Between This AD and the
EASA AD

The EASA AD allows compliance
within 1 week or 5 flight-hours; this AD
requires compliance within 5 hours TIS.

Costs of Compliance

We estimate that this AD will affect
45 helicopters of U.S. Registry. We
estimate that operators may incur the
following costs in order to comply with
this AD. Inspecting the pilot’s and co-
pilot’s collective and cyclic stick
installation will require about 1 work-
hour at an average labor rate of $85 per
hour, for a cost per helicopter of $85
and a cost to U.S. operators of $3,825.

Reinstalling a cyclic or collective stick
will require about 1 work-hour, at an
average labor rate of $85 per hour, for
a cost per helicopter of $85.

FAA’s Justification and Determination
of the Effective Date

Providing an opportunity for public
comments prior to adopting these AD
requirements would delay implementing
the safety actions needed to
correct this known unsafe condition.

Therefore, we found and continue to
find that the risk to the flying public
justifies waiving notice and comment
prior to the adoption of this rule
because the previously described unsafe
condition can adversely affect the
controllability of the helicopter and the
required corrective actions must be
accomplished within 5 hours TIS.

Since it was found that immediate
corrective action was required, notice
and opportunity for prior public
comment before issuing this AD were
impracticable and contrary to the public
interest and good cause existed to make
the AD effective immediately by
Emergency AD 2012–21–52, issued on
October 23, 2012 to all known U.S.
owners and operators of these
helicopters. These conditions still exist
and the AD is hereby published in the
Federal Register as an amendment to
section 39.13 of the Federal Aviation
Regulations (14 CFR 39.13) to make it
effective to all persons.

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, 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);
3. Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction; 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.

We prepared an economic evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

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):

   2012–21–52 Agusta S.P.A. Helicopters (Type Certificate Currently Held By AgustaWestland S.P.A.) (Agusta):

   (a) Applicability
   This AD applies to Agusta Model AW139 helicopters, serial numbers (S/N) 41201 through 41310, except S/N 41290, 41291, 41292, 41302, 41304, 41305, 41306, and 41309, certificated in any category.

   (b) Unsafe Condition
   This AD defines the unsafe condition as an incorrectly installed cyclic and collective control stick, detachment of the cyclic or collective control stick, and subsequent loss of control of the helicopter.

   (c) Effective Date
   This AD becomes effective December 26, 2012 to all persons except those persons to whom it was made immediately effective by Emergency AD 2012–21–52, issued on October 23, 2012, which contained the requirements of this AD.

   (d) Compliance
   You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

   (e) Required Actions
   Within 5 hours time-in-service (TIS):
   (1) Inspect the pilot collective stick installation to determine whether the self-locking nuts, part-number (P/N) MS17825–4, are secured with cotter pins, P/N MS24665–136, as depicted in Figure 1 to paragraph (e) of this AD. If the self-locking nuts are not secured with cotter pins, before further flight, reinstall the pilot collective stick.

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(2) Inspect the co-pilot collective stick installation to determine whether the ring nut (item 2) is loose and the quick-release pin (item 3) is installed as depicted in Figure 2 to paragraph (e) of this AD. If the ring nut is loose or the quick-release pin is not installed, before further flight, reinstall the co-pilot collective stick.
(3) Inspect the pilot cyclic stick installation for proper installation of the bolt (item 3), washer (item 4), self-locking nut (item 7), washer (item 6), and the cotter pin (item 8), as depicted in Figure 3 to paragraph (e) of this AD. If the pilot cyclic stick is not installed as depicted, before further flight, reinstall the pilot cyclic stick.
(4) Inspect the co-pilot cyclic stick installation to determine whether the ring nut (item 1) is loose and the quick-release pin (item 5) is installed as depicted in Figure 4 to paragraph (e) of this AD. If the ring nut is loose or the quick-release pin is not installed as depicted, before further flight, reinstall the co-pilot cyclic stick.
Special flight permits will not be issued.

(AMOCs)

(1) The Manager, Safety Management Group, FAA, may approve AMOCs for this AD. Send your proposal to: Robert Grant, Aviation Safety Engineer, Safety Management Group, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone 817–222–5328; email robert.grant@faa.gov.

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office, before operating any aircraft complying with this AD through an AMOC.

(3) Additional Information

(1) Agusta Bollettino Tecnico No. 139–308, dated October 16, 2012, which is not incorporated by reference, contains additional information about the subject of this AD. For a copy of the service information referenced in this AD, contact:

AgustaWestland, Customer Support & Services, Via Per Tornavento 15, 21019 Somma Lombardo (VA) Italy, ATTN: Giovanni Cecchelli; telephone 39–0331–711133; fax 39 0331 711180; or at http://www.agustawestland.com/technical-bulletins. You may review a copy of the service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

(2) The subject of this AD is discussed in European Aviation Safety Agency AD No. 2012–0213–E, dated October 16, 2012.

(i) Subject


Issued in Fort Worth, Texas, on December 3, 2012.

Kim Smith,
Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.

Federal Aviation Administration

DEPARTMENT OF TRANSPORTATION

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; Saab AB, Saab Aerosystems Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Saab AB, Saab Aerosystems Model 340A (SAAB/SF340A) and SAAB 340B airplanes. This AD was prompted by reports of stall events during icing conditions where the natural stall warning (buffet) was not identified. This AD requires replacing the stall warning computer (SWC) with a new SWC, which provides an artificial stall...