(ii) Procedure 23, ''Aluminum Part Surface Inspection (Impedance Plane Display),'' Section 51–00–00, of Part 6, ''Eddy Current,'' of Boeing 737 Nondestructive Test (NDT) Manual, D6–37239, Revision 108, dated November 15, 2012. The revision level of this document is identified only in the letter of transmittal; no other page of this document contains this information.

(iii) Boeing Alert Service Bulletin 737–52A1100, Revision 5, dated February 14, 2011.

(iv) Boeing Special Attention Service Bulletin 737–52–1149, dated December 11, 2003.

(4) The following service information was approved for IBR on May 16, 2000 (65 FR 19302, April 11, 2000).

(i) Figure 4, of Section 51–00–00, of Part 6, of Boeing 737 Nondestructive Test (NDT) Manual, D6–37239, dated August 5, 1997. The revision level is not specified on the title page or list of effective pages of this document. The title page of this document is not dated. Pages 1 and 2 of the list of effective pages of this document are dated August 5, 1997; page 2A is dated February 5, 1997.

(ii) Figure 23, of Section 51–00–00, of Part 6, of Boeing 737 Nondestructive Test (NDT) Manual, D6–37239, dated August 5, 1997. The revision level is not specified on the title page or list of effective pages of this document. The title page of this document is not dated. Pages 1 and 2 of the list of effective pages of this document are dated August 5, 1997; page 2A is dated February 5, 1997.

(iii) Boeing Service Bulletin 737–52–1100, Revision 2, dated March 31, 1994.

(5) For Boeing service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P. O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.*

(6) You may view this service information at FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356. 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-locations.html.*

Issued in Renton, Washington, on April 26, 2013.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–10797 Filed 5–23–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0445; Directorate Identifier 2012–SW–098–AD; Amendment 39–17458; AD 2013–10–05]

RIN 2120–AA64

Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters

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

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for Eurocopter Deutschland GmbH (ECD) Model MBB–BK 117 C–2 helicopters. This AD requires revising the operating limitations to prohibit flights under instrument flight rules (IFR) or under night visual flight rules (VFR) when the autotrim is inoperative. The actions of this AD are intended to prevent a workload situation whereby stabilizing the helicopter in flight would be difficult if not impossible, resulting in possible loss of helicopter control.

DATES: This AD becomes effective June 10, 2013.

We must receive comments on this AD by July 23, 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.
- *Hand Delivery:* Deliver to the ''Mail'' address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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, 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 American Eurocopter Corporation, 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641–0000 or (800) 232–0323; fax (972) 641–3775; or at *http://www.eurocopter.com/techpub.* 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: George Schwab, Aviation Safety Engineer, Safety Management Group, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222–5110; email *george.schwab@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

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, issued EASA AD No. 2012–0216, dated October 18, 2012, to correct an unsafe condition for ECD Model MBB–BK 117 C–2 helicopters. EASA advises that the autopilot (AP) of a Model MBB–BK 117 C–2 helicopter failed in flight with ''ACTUATOR'' and ''BACKUP SAS'' messages appearing on the caution and advisory display, ''AP'' illuminated in red on the warning unit, and Y (Yaw actuator) and P (pitch actuator) on the primary flight display.

With the AP switched off, cautions ''YAW SAS'' and ''BACKUP SAS'' appeared on the caution and advisory display. When the AP was switched on again, the ''YAW SAS'' caution stopped appearing while ''BACKUP SAS'' still appeared, EASA reports.

According to EASA, an investigation indicates that a short circuit on the yaw Smart Electro-Mechanical Actuator (SEMA) ''ACTIV'' input to ground led to the seizure of all five SEMA units. EASA advises that this condition, if not corrected, ''combined with an inoperative Autotrim in Pitch or Roll, or combined with an inoperative Autotrim in Cyclic and Yaw axis,'' could significantly reduce the pilot's reaction time to stabilize the helicopter, resulting in possible loss of helicopter control. EASA reports that this situation could occur when operating under IFR or night VFR.

FAA's Determination

These helicopters have been approved by the aviation authority of Germany and are approved for operation in the United States. Pursuant to our bilateral agreement with Germany, 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 these same type designs.

Related Service Information

Eurocopter has issued Alert Service Bulletin MBB–BK117 C–2–22A–013, dated October 12, 2012 (ASB), which states that the autopilot and caution indication systems failed during flight. Eurocopter's initial analysis revealed that a short circuit occurred within a SEMA, causing the SEMAs' adjustment travel to ''freeze.'' If this failure is combined with a failure of the autotrim system in the pitch, roll, or yaw axis, it could reduce the pilot's reaction time to stabilize the helicopter ''in an unacceptable way.'' The ASB requires revision of sections of the master minimum equipment list (MMEL) with respect to inoperative TRIM-function to restrict dispatch conditions.

AD Requirements

Within 25 hours time-in-service (TIS) or 30 days, whichever comes first, this AD requires you to insert a statement into the operating limitations section of the MBB–BK 117C–2 Rotorcraft Flight Manual under paragraph 2.2, Kinds of Operations, prohibiting operation under IFR or Night VFR with the autotrim inoperative in pitch or roll, or combined inoperative autotrim in cyclic and yaw axis.

Differences Between This AD and the EASA AD

The EASA AD requires revising the operator's minimum equipment list (MEL). We make no requirement regarding the MEL.

Costs of Compliance

We estimate that this AD will affect 109 helicopters of U.S. Registry and that labor costs will average $85 a work hour. Based on these assumptions, we expect the following costs:

Placing the AD in the limitations section of the RFM will require a 0.2 work-hour and no parts for a cost of $17 per helicopter, $1,853 for the U.S. fleet.

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 find that the risk to the flying public justifies waiving notice and comment prior to the adoption of this rule, because the required corrective actions must be accomplished within 25 hours TIS or 30 days. As the ECD Model MBB–BK 117 C–2 helicopter is used in such areas as emergency medical service, newsgathering, and law enforcement, this is a short time period.

Since an unsafe condition exists that requires the immediate adoption of this AD, we determined that notice and opportunity for public comment before issuing this AD are impractical and contrary to the public interest and that good cause exists for making this amendment effective in less than 30 days.

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):

2013–10–05 Eurocopter Deutschland GmbH Helicopters: Amendment 39–17458; Docket No. FAA–2013–0445; Directorate Identifier 2012–SW–098–AD.

(a) Applicability

This AD applies to Eurocopter Deutschland GmbH (ECD) Model MBB–BK 117 C–2 helicopters, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as a failure of the autotrim system in pitch or roll, or a combined inoperative autotrim in the cyclic and yaw axis. This condition could

significantly increase the pilot's workload to stabilize the helicopter, especially in low visibility conditions, resulting in loss of helicopter control.

(c) Effective Date

This AD becomes effective June 10, 2013.

(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 Action

Within 25 hours time-in-service or 30 days, whichever comes first, revise the Operating Limitations section of the MBB–BK 117C–2 Rotorcraft Flight Manual (RFM), under paragraph 2.2, Kinds of Operations, by inserting a copy of this AD into the RFM or by making pen and ink changes to add the following statement:

Dispatch under Instrument Flight Rules (IFR) or night Visual Flight Rules (VFR) with the Autotrim inoperative in Pitch or Roll or a combined inoperative Autotrim in Cyclic and Yaw axis is PROHIBITED.

(f) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Group, FAA, may approve AMOCs for this AD. Send your proposal to: George Schwab, Aviation Safety Engineer, Safety Management Group, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222–5110; email *george.schwab@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.

(g) Additional Information

(1) Eurocopter Alert Service Bulletin MBB–BK117 C–2–22A–013, dated October 12, 2012, which is not incorporated by reference, contains additional information about the subject of this AD. For service information identified in this AD, contact American Eurocopter Corporation, 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641–0000 or (800) 232–0323; fax (972) 641–3775; or at *http://www.eurocopter.com/techpub.* 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 addressed in the European Aviation Safety Agency AD No. 2012–0216, dated October 18, 2012.

(h) Subject

Joint Aircraft Service Component (JASC) Code: 22, Autopilot Dispatch Restriction.

Issued in Fort Worth, Texas, on May 14, 2013.

Kim Smith,

Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2013–12307 Filed 5–23–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2012–1142; Airspace Docket No. 12–ANM–25]

Amendment of Class D and Class E Airspace; Portland-Hillsboro, OR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Class E airspace at Portland-Hillsboro Airport, Portland-Hillsboro, OR, to accommodate aircraft departing and arriving under Instrument Flight Rule (IFR) operations at the airport. Also, the geographic coordinates are updated for the airport. This action, initiated by the biennial review of the Portland-Hillsboro airspace area, improves the safety and management of IFR operations at the airport.

DATES: Effective date, 0901 UTC, August 22, 2013. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Richard Roberts, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203–4517.

SUPPLEMENTARY INFORMATION:

History

On December 21, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend controlled airspace at Portland-Hillsboro, OR (77 FR 75593). This action was initiated by a biennial review of the airspace. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraphs 5000, 6002 and 6004, respectively, of FAA Order 7400.9W dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by modifying Class E airspace designated as an extension to Class D surface area. The size of the Class E airspace to the northwest has been reduced, the Class E airspace to the south removed, and additional Class E airspace created south southeast of the Portland-Hillsboro Airport. The geographic coordinates of the airport also are updated to coincide with the FAA's aeronautical database. This action enhances the safety and management of IFR operations.

The FAA has determined this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 discusses the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies controlled airspace at Portland-Hillsboro Airport, Portland-Hillsboro, OR.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, ''Environmental Impacts: Policies and Procedures,''