DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0180; Directorate Identifier 2014–CE–004–AD; Amendment 39–17869; AD 2014–12–08]

RIN 2120–AA64

Airworthiness Directives; Przedsiebiorstwo Doswiadczalno-Produkcyjne Szybownictwa ''PZL-Bielsko'' Model SZD–50–3 ''Puchacz'' Sailplanes

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

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2004–11–10 for Przedsiebiorstwo Doswiadczalno-Produkcyjne Szybownictwa ''PZL-Bielsko'' Model SZD–50–3 ''Puchacz'' sailplanes. 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 fatigue damage of the welded joint between the airbrake torque tube and the airbrake control system lever located inside the fuselage. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective July 22, 2014.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of July 22, 2014.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0180; or in person at the Docket 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 Allstar PZL Glider, Sp. z o. o., ul. Cieszynska 325, 43–300 Bielsko-Biala, Poland; telephone: +48 33 812 50 26; fax: +48 33 812 3739; email: *techsupport@szd.com.pl;* Internet: *http://szd.com.pl/en/products/szd-50-3-puchacz.* You may view this 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) 329–4165; 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 add an AD that would apply to Przedsiebiorstwo Doswiadczalno-Produkcyjne Model SZD–50–3 ''Puchacz'' airplanes. The NPRM was published in the **Federal Register** on March 25, 2014 (79 FR 16248), and proposed to supersede AD 2004–11–10, Amendment 39–13656 (69 FR 31872, June 8, 2004).

The NPRM proposed to correct an unsafe condition for the specified products and was based on mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country. The MCAI states that:

> Several occurrences of airbrake torque tube failure were reported on SZD–50–3 ''Puchacz'' sailplanes. In all cases, as a result of disruption of the welded joint between torque tube and the lever, the broken torque tube detached from the lever located in the fuselage. The result of subsequent investigations identified fatigue damage, as a consequence of periodical striking load exceeding the established maximum value, to be a possible failure cause. Additionally, corrosion damage was identified at internal surface of the opened tube.
>
> This condition, if not detected and corrected, would inhibit the function of the airbrake, possibly resulting in reduced control of the sailplane.
>
> Prompted by these findings, Allstar PZL issued Service Bulletin (SB) No. BE–052/SZD–50–3/2003 to provide inspection instructions. CAO of Poland issued AD SP–0052–2003–A to require a one-time inspection of the airbrake torque tube in the area of welded joint in accordance with that SB.
>
> Since that AD was issued, Allstar PZL issued SB No. BE–062/SZD–50–3/2013 to introduce repetitive inspections and accomplishment instructions for reinforced torque tube inspections.
>
> For the reasons described above, this AD supersedes CAO of Poland AD SP–0052–2003–A and requires repetitive inspections of the airbrake torque tube and, depending on findings, replacement with a serviceable part.

The MCAI can be found in the AD docket on the Internet at: *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0180-0002.*

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 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 (79 FR 16248, March 25, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (79 FR 16248, March 25, 2014).

Costs of Compliance

We estimate that this AD will affect 5 products of U.S. registry. We also estimate that it would take about 5 work-hours for the annual inspection of sailplanes equipped with the old version torque tube; 1 work-hour for the annual inspection of sailplanes equipped with the new version torque tube; and 5 work-hours for the 1,000-hour annual inspection of sailplanes equipped with the new version torque tube. The average labor rate is $85 per work-hour.

In addition, we estimate that any necessary follow-on actions would take about 5 work-hours and require parts costing $875, for a cost of $1,300 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* by searching for and locating Docket No. FAA–2014–0180; 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

■ 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 AD 2004–11–10, Amendment 39–13656 (69 FR 31872, June 8, 2004) and adding the following new AD:

2014–12–08 Przedsiebiorstwo Doswiadczalno-Produkcyjne Szybownictwa ''PZL-Bielsko'': Amendment 39–17869; Docket No. FAA–2014–0180; Directorate Identifier 2014–CE–004–AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective July 22, 2014.

(b) Affected ADs

This AD supersedes AD 2004–11–10, Amendment 39–13656 (69 FR 31872; June 8, 2004).

(c) Applicability

This AD applies to Przedsiebiorstwo Doswiadczalno-Produkcyjne Szybownictwa ''PZL-Bielsko'' Model SZD–50–3 ''Puchacz'' sailplanes, all serial numbers, certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 27: Flight Controls.

(e) Reason

This AD was prompted by 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 fatigue damage of the welded joint between the airbrake torque tube and the airbrake control system lever located inside the fuselage. We are issuing this AD to detect and correct fatigue damage of the airbrake torque tube and the airbrake control system lever, which may cause a malfunction of the airbrake, resulting in loss of control of the sailplane.

(f) Actions and Compliance

Unless already done, do the following actions in paragraphs (f)(1) through (f)(6) of this AD:

(1) *For sailplanes equipped with the old version torque tube, with or without reinforced corner:* Initially within 30 days after July 22, 2014 (the effective date of this AD) and repetitively thereafter at intervals not to exceed every 12 months or 100 hours time-in-service (TIS), whichever occurs first, do a detailed inspection of the airbrake torque tube following the inspection procedures in paragraph (2)(b) in Allstar PZL Glider Sp. z o.o. Service Bulletin No. BE–062/SZD–50–3/2013 ''PUCHACZ'', Revision A, dated September 16, 2013.

(2) *For sailplanes equipped with the new type torque tube, with reinforced corner:* Initially within 30 days after July 22, 2014 (the effective date of this AD) and repetitively thereafter at intervals not to exceed every 12 months or 100 hours TIS, whichever occurs first, visually inspect the welded joint of the airbrake torque tube following the conditions of inspection, first bulleted item of paragraph (2)(a)(2), in Allstar PZL Glider Sp. z o.o. Service Bulletin No. BE–062/SZD–50–3/2013 ''PUCHACZ'', Revision A, dated September 16, 2013.

(3) *For sailplanes equipped with the new type torque tube, with reinforced corner:* During the first 1,000-hour inspection after July 22, 2014 (the effective date of this AD), and then repetitively at each scheduled 1,000-hour inspection, do a detailed inspection of the welded joint of the airbrake torque tube following the inspection procedures in paragraph (2)(b) in Allstar PZL Glider Sp. z o.o. Service Bulletin No. BE–062/SZD–50–3/2013 ''PUCHACZ'', Revision A, dated September 16, 2013.

(4) *For all sailplanes:* If during any inspection required by paragraph (f)(1), (f)(2), or (f)(3) of this AD any damage is found as detailed in paragraph (2)(c) of PZL Glider Sp. z o.o. Service Bulletin No. BE–062/SZD–50–3/2013 ''PUCHACZ'', Revision A, dated September 16, 2013, before further flight, replace the airbrake torque tube as described in the Post-inspection procedures, paragraph (2)(c), of Allstar PZL Glider Sp. z o.o. Service Bulletin No. BE–062/SZD–50–3/2013 ''PUCHACZ'', Revision A, dated September 16, 2013.

(5) *For all sailplanes:* Replacement of an airbrake torque tube, as required by paragraph (f)(4) of this AD, does not constitute terminating action for inspection requirements of paragraphs (f)(1), (f)(2), and (f)(3) of this AD.

(6) *For all sailplanes:* Compliance with the requirements of paragraphs (f)(1), (f)(2), or (f)(3) of this AD can be demonstrated by incorporating the applicable required inspections and follow-on corrective actions, as specified in Allstar PZL Glider Sp. z o.o. Service Bulletin No. BE–062/SZD–50–3/2013 ''PUCHACZ'', Revision A, dated September 16, 2013, into the approved instructions for continued airworthiness (ICA) of the maintenance program.

(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: Jim Rutherford, Aerospace Engineer, 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) *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.: 2014–0015, dated January 14, 2014, for related information. The MCAI can be found in the AD docket on the Internet at: *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0180-0002.*

(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) Allstar PZL Glider Sp. z o.o. Service Bulletin No. BE–062/SZD–50–3/2013 ''PUCHACZ'', Revision A, dated September 16, 2013.

(ii) Reserved.

(3) For Przedsiebiorstwo Doswiadczalno-Produkcyjne Szybownictwa ''PZL-Bielsko'' Model SZD–50–3 ''Puchacz'' service information identified in this AD, contact Allstar PZL Glider, Sp. z o. o., ul. Cieszynska 325, 43–300 Bielsko-Biala, Poland; telephone: +48 33 812 50 26; fax: +48 33 812 3739; email: *techsupport@szd.com.pl;* Internet: *http://szd.com.pl/en/products/szd-50-3-puchacz.*

(4) You may view this 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.

(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 6, 2014.

Timothy Smyth,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–13839 Filed 6–16–14; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 742, 754 and 774

[Docket No. 140121058–4058–01]

RIN 0694–AG06

Update of Short Supply Export Controls: Unprocessed Western Red Cedar, Crude Oil, and Petroleum Products

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security (BIS) publishes this final rule to amend two supplements in the Export Administration Regulations (EAR), which contain lists of controlled crude oil and petroleum products (produced or derived from the Naval Petroleum Reserve (NPR)) and unprocessed western red cedar, respectively. These lists provide relevant Census Bureau Schedule B commodity numbers and associated commodity descriptions of these short supply commodities. Many of the Schedule B commodity numbers and associated commodity descriptions listed prior to publication of this rule in the two supplements are now obsolete. This rule updates the lists in the two supplements to remove obsolete descriptions and Schedule B commodity numbers, and to add relevant descriptions and Schedule B commodity numbers for these short supply commodities. This rule also clarifies the description of petroleum products in other sections of the EAR to ensure those references are current. This rule will not alter or otherwise affect BIS's current enforcement practice with respect to the EAR's controls on unprocessed western red cedar or crude oil and petroleum products.

DATES: Effective date is June 17, 2014.

FOR FURTHER INFORMATION CONTACT: Gerard Horner, Director, Office of Technology Evaluation, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–2078 or by email at *Gerard.Horner@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background

The ''Harmonized System Classification'' is a six-digit standardized numerical method of classifying traded products. Harmonized System numbers are used by customs authorities around the world to identify products for the application of duties and taxes. The United States has adopted the Harmonized System as the basis of both its export classification system, referred to as Schedule B, and its import classification system, called the Harmonized Tariff Schedule (HTS). The first six digits of the commodity numbers for a product listed on the HTS and the Schedule B are identical to one another with respect to descriptions and codes.

Schedule B numbers are administered and used by the U.S. Commerce Department, Census Bureau, Foreign Trade Division to collect and publish U.S. export statistics. Schedule B numbers are required to be reported in the Automated Export System (AES) for all export transactions originating in the United States. There is a Schedule B commodity number for every physical product, from paperclips to airplanes, that are exported from the United States to foreign countries. According to the introduction to the Schedule B, which provides for definitions of commonly-used terms and a guide to interpreting and using the Schedule B, the term ''headings'' refers to the article descriptions appearing in Schedule B at the four-digit level; the term ''subheading'' refers to any article description indented thereunder. A reference to ''headings'' also encompasses the subheadings indented thereunder. The Schedule B 2014 may be found at *http://www.census.gov/foreign-trade/schedules/b/2014/index.html.* There is no direct correlation between Schedule B commodity numbers and the Commerce Control List Export Control Classification Numbers (ECCNs).

The Bureau of Industry and Security (BIS) regulates the export of unprocessed western red cedar, crude oil, and petroleum products (that were produced or derived from the Naval Petroleum Reserves (NPR) or became available for export as a result of an exchange of any NPR-produced or derived commodities) under the Export Administration Regulations' (EAR) short supply controls. A license is required for exports of these commodities to all destinations, including Canada.

For the convenience of exporters, BIS created Supplement No. 1 and Supplement No. 2 to part 754 in the EAR to illustrate the Schedule B commodity numbers that could apply to crude oil, petroleum products, and unprocessed western red cedar controlled under the EAR. The Schedule B numbers in Supplement No. 1 to part 754 (crude oil and petroleum products) were based on the 1994 version of the Schedule B of commodity classifications. The Schedule B numbers in Supplement No. 2 to part 754 (unprocessed western red cedar) were based on versions of the Schedule B from the 1980's. The current version applicable to all of these commodities is Schedule B 2014.

This rule updates the lists in the two supplements to remove obsolete descriptions and Schedule B commodity numbers and add relevant descriptions and Schedule B commodity numbers for these short supply commodities. This rule also clarifies the description of petroleum products in other sections of the EAR to ensure those references are current.

Supplement No. 1 to Part 754—Petroleum and Petroleum Products

Supplement No. 1 to part 754 of the EAR contains a total of 43 Schedule B numbers, two for crude oil and 41 for petroleum products. Significant modifications to Schedule B numbers have taken place over the years. After twenty years, all Schedule B numbers, except one (2804.29.0010 for ''Helium'') are now either obsolete or have undergone modifications to the commodity descriptions in the Schedule