

[Federal Register: April 13, 2007 (Volume 72, Number 71)]
[Rules and Regulations]
[Page 18566-18568]
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[DOCID:fr13ap07-3]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2007-27109; Directorate Identifier 2007-CE-005-AD; Amendment 39-15024; AD 2007-08-07]

RIN 2120-AA64

Airworthiness Directives; LATINOAMERICANA DE AVIACIÓN (LAVIA) S.A. (Type Certificate Data Sheets No. 2A8 and No. 2A10 Previously Held by The New Piper Aircraft, Inc.) Models PA-25, PA-25-235, and PA-25-260 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 references Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006, which describes the unsafe condition as:

REAR AND FORWARD SUPPORTS OF BOTH HORIZONTAL STABILIZER MODIFICATION. It have been found on several of the affected airplanes some severe corrosion and cracks in both supports. The probable cause for those failures is the accumulation of steam or application products vapors.

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

DATES: This AD becomes effective May 18, 2007.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of May 18, 2007.

ADDRESSES: You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, Room PL-401, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Sarjapur Nagarajan, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4145; fax: (816) 329-4090.

SUPPLEMENTARY INFORMATION:

Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. The streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and Federal Register requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

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 February 14, 2007 (72 FR 6982). That NPRM proposed to require compliance with Service Bulletin No. 25/53/03 issued by Latinoamericana de Aviación S.A. in order to detect cracks, evidence of corrosion or any other anomalies on support tubes of the horizontal stabilizer.

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 a U.S. court of law. 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 described in a separate paragraph of the AD. These requirements, if any, take precedence over the actions copied from the MCAI.

Costs of Compliance

We estimate that this AD will affect 1,144 products of U.S. registry. We also estimate that it will take about 10 work-hours per product to comply with this AD. The average labor rate is \$80 per

work-hour. Required parts will cost about \$845 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 \$1,881,880, or \$1,645 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 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://dms.dot.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) 647-5227) 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 adding the following new AD:



2007-08-07 LATINOAMERICANA DE AVIACIÓN (LAVIA) S.A. (Type Certificate Data Sheets No. 2A8 and No. 2A10 previously held by The New Piper Aircraft, Inc.): Amendment 39-15024; Docket No. FAA-2007-27109; Directorate Identifier 2007-CE-005-AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective May 18, 2007.

Affected ADs

- (b) None.

Applicability

- (c) This AD applies to Models PA-25, PA-25-235, and PA-25-260, all serial numbers up to LA-260-06008, certificated in any category.

Subject

- (d) Air Transport Association of America (ATA) Code 55: Stabilizers.

Reason

- (e) The mandatory continuing airworthiness information (MCAI) references Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006, which states:

REAR AND FORWARD SUPPORTS OF BOTH HORIZONTAL STABILIZER MODIFICATION. It has been found on several of the affected airplanes some severe corrosion and cracks in both supports. The probable cause for those failures is the accumulation of steam or application products vapors.

Actions and Compliance

- (f) Unless already done, do the following actions:

(1) Upon accumulating 1,500 hours time-in-service (TIS) or within the next 50 hours TIS after May 18, 2007 (the effective date of this AD), whichever occurs later, do the operations as specified in the paragraph "ACTIONS," subparagraph "INITIAL" of Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006. Repetitively inspect thereafter every 100 hours TIS or 12 months, whichever occurs first, until the modification specified in paragraph "ACTIONS," subparagraph "DEFINITIVE" of Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006, is done.

(2) If any evidence of cracks, signs of corrosion, or any other discrepancy is detected during any inspection required in paragraph (f)(1) of this AD, before further flight, disassemble both horizontal stabilizers and conduct a detailed inspection on the surface of both supports and take corrective

action. Use paragraph "ACTIONS," subparagraph "DEFINITIVE" of Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006.

(3) After incorporating the modification specified in paragraph "ACTIONS," subparagraph "DEFINITIVE" of Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006, no further action is required.

(4) Upon accumulating 1,000 hours TIS after May 18, 2007 (the effective date of this AD), modify both horizontal stabilizers as specified in paragraph "ACTIONS," subparagraph "DEFINITIVE" of Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006, unless already done. Incorporating this modification terminates the repetitive inspection requirement in paragraph (f)(1) of this AD.

(5) As a terminating action to the inspection requirements of this AD, the modification to both horizontal stabilizers specified in paragraph "ACTIONS," subparagraph "DEFINITIVE" of Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006, may be incorporated at any time after the effective date of this AD and before the time required in paragraph (f)(4) 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

(g) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, Standards Staff, FAA, Small Airplane Directorate, ATTN: Sarjapur Nagarajan, Aerospace Engineer, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4145; fax: (816) 329-4090, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(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 (44 U.S.C. 3501 et.seq.), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

Related Information

(h) Refer to MCAI Dirección Nacional de Aeronavegabilidad AD No. RA 2006-06-01, Rev. 1 LAVIA S.A., Amendment No. 39/03-041, dated November 17, 2006; and Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006, for related information.

Material Incorporated by Reference

(i) You must use Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006, 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 this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Latinoamericana de Aviación S.A., Hangar No. 1 Aeropuerto "El Plumerillo" sur, Las Heras-Mendoza-Argentina-CP 5541; telephone: 0054-261-4489198; e-mail: laviasa@hotmail.com.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; 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 Kansas City, Missouri, on April 6, 2007.

Kim Smith,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7-6929 Filed 4-12-07; 8:45 am]