

### Actions Since Issuance of Previous Rule

Since the issuance of AD 94-04-09, we have been advised by Transport Canada Civil Aviation (TCCA), which is the airworthiness authority for Canada, of reports from the manufacturer and operators of Model DHC-8-100 and DHC-8-300 airplanes indicating that replacement struts installed per that AD have developed cracks. Therefore, the engine rear mount strut has been redesigned and is pressed fit assembled instead of welded which improves the endurance of the strut to prevent failure due to cracking and/or fracture.

### Explanation of Relevant Service Information

Bombardier has issued Service Bulletin 8-71-24, dated August 21, 2001, which describes procedures for replacing the existing rear mount struts in a nacelle with new, improved struts. TCCA previously issued Canadian airworthiness directive CF-2001-20, dated May 16, 2001, to ensure the continued airworthiness of these airplanes in Canada.

### FAA's Conclusions

These airplane models are manufactured in Canada and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, TCCA has kept us informed of the situation described above. We have examined the findings of TCCA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

### Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would supersede AD 94-04-09 to require new repetitive inspections of the strut assemblies for cracking of the struts replaced per the existing AD, and replacement of any cracked strut with a new, machined strut. This proposed AD also would change the applicability of the existing AD by adding certain airplanes and removing certain other airplanes, and would include an optional terminating action for the repetitive inspections.

Consistent with the findings of TCCA, this proposed AD would allow repetitive inspections to continue in

lieu of the terminating action. In making this determination we considered that long-term continued operational safety in this case will be adequately ensured by repetitive inspections to find cracking before it represents a hazard to the airplane.

### Changes to the Applicability of the Existing AD

This proposed AD would expand the applicability in the existing AD to include Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 airplanes; serial numbers 003 through 509 inclusive. Model DHC-8-102 and -103 series airplanes, serial numbers 003 through 310 inclusive; and Model DHC-8-301, -311, and -314 series airplanes, serial numbers 100 through 311 inclusive, were identified in the existing AD.

Additionally, this proposed AD would remove Model DHC-8-314 airplanes, which were added to the applicability of the existing AD but are not U.S. type-certificated.

### Cost Impact

There are approximately 192 airplanes of U.S. registry that would be affected by this proposed AD.

The actions that are currently required by AD 94-04-09 take approximately 16 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. Required parts are provided by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the currently required actions is estimated to be \$1,040 per airplane.

The new detailed inspection that is proposed in this AD action would take approximately 1 work hour per airplane to accomplish, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of the proposed inspection on U.S. operators is estimated to be \$12,480, or \$65 per airplane, per inspection cycle.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

The optional terminating action, if done, would take approximately 16

work hours per strut to accomplish, at an average labor rate of \$65 per work hour. Required parts would cost approximately \$800 per strut. Based on these figures, the cost impact of the optional terminating action is estimated to be \$1,840 per strut, per airplane.

### Regulatory Impact

The regulations proposed herein would 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. Therefore, it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (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); and (3) if promulgated, 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. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by removing amendment 39-8829 (59 FR 8393, February 22, 1994), and by adding a new airworthiness directive (AD), to read as follows:

**Bombardier, Inc. (Formerly de Havilland, Inc.):** Docket 2001-NM-266-AD. Supersedes AD 94-04-09, amendment 39-8829.

*Applicability:* Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315