

adequately address the identified unsafe condition. TCCA classified the Bombardier service bulletins as mandatory and issued Canadian airworthiness directive CF-2002-25, dated April 25, 2002, 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 the FAA informed of the situation described above. The FAA has 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 require accomplishment of the actions specified in the applicable Bombardier service bulletins described previously.

#### Difference Between Proposed AD and Parallel TCCA Airworthiness Directive

Operators should note that, although the parallel Canadian airworthiness directive includes maintenance procedures that may be used as interim procedures until the affected FGMs and FCECUs can be replaced with improved parts, this proposed AD does not reference such interim procedures.

#### Cost Impact

We estimate that 12 airplanes of U.S. registry would be affected by the proposed replacement of FGMs, that it would take approximately 1 work hour per airplane to accomplish this proposed replacement, and that the average labor rate is \$65 per work hour. Required parts would be provided at no charge. Based on these figures, the cost impact of this proposed requirement on U.S. operators is estimated to be \$780, or \$65 per airplane.

We estimate that 15 airplanes of U.S. registry would be affected by the proposed replacement of the FCECUs, that it would take approximately 4 work hours per airplane to accomplish this proposed replacement, and that the

average labor rate is \$65 per work hour. Required parts would be provided at no charge. Based on these figures, the cost impact of this proposed requirement on U.S. operators is estimated to be \$3,900, or \$260 per airplane.

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 manufacturer may cover the cost of replacement parts associated with this proposed AD, subject to warranty conditions. As a result, the costs attributable to the proposed AD may be less than stated above.

#### 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 adding the following new airworthiness directive:

**Bombardier, Inc.** (Formerly de Havilland, Inc.): Docket 2002-NM-311-AD.

*Applicability:* Model DHC-8-400, -401, and -402 airplanes; certificated in any category; having serial numbers (S/Ns) 4001 through 4065 inclusive.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent loss of the autopilot or manual pitch trim, which may increase the workload of the flightcrew and, under certain conditions, could result in reduced controllability of the airplane, accomplish the following:

##### *Replacement of Flight Guidance Modules*

(a) For airplanes with S/Ns 4001 through 4003 inclusive and 4005 through 4058 inclusive: Within 60 days after the effective date of this AD, replace flight guidance modules (FGMs) FGM1 and FGM2, part number (P/N) C12429AA06, with improved FGMs, P/N C12429AA07, and perform a Return-to-Service procedure, per Bombardier Service Bulletin 84-22-04, Revision "B," dated April 17, 2002.

**Note 1:** Bombardier Service Bulletin 84-22-04, Revision "B," refers to Thales Service Bulletin C12429A-22-003, dated November 29, 2001, as an additional source of service information for modifying FGMs from P/N C12429AA06 to P/N C12429AA07. The Thales service bulletin is included in the Bombardier service bulletin.

##### *Replacement of Flight Control Electronic Control Units*

(b) For all airplanes: Within 8 months after the effective date of this AD, replace flight control electronic control units (FCECUs), P/N 398500-1001 or -1003, with improved FCECUs, P/N 398500-1005, and perform a Return-to-Service procedure, per Bombardier Service Bulletin 84-27-14, Revision "A," dated April 2, 2002.

**Note 2:** Bombardier Service Bulletin 84-27-14, Revision "A," refers to Parker Service Bulletin 398500-27-235, dated January 9, 2002, as an additional source of service information for modifying FCECUs from P/N 398500-1001 or -1003 to P/N 398500-1005. The Parker service bulletin is included in the Bombardier service bulletin.

##### *Alternative Methods of Compliance*

(c) In accordance with 14 CFR 39.19, the Manager, New York Aircraft Certification Office (ACO), FAA, is authorized to approve alternative methods of compliance for this AD.