

# Rules and Regulations

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2003–NM–159–AD; Amendment 39–13372; AD 2003–24–03]

RIN 2120–AA64

#### Airworthiness Directives; Bombardier Model CL–600–2C10 (Regional Jet Series 700 & 701) Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD), applicable to certain Bombardier Model CL–600–2C10 (Regional Jet Series 700 & 701) series airplanes, that currently requires a revision to the Airplane Flight Manual (AFM) to prohibit operations into known or forecast icing conditions under certain conditions. That AD also requires an inspection to detect damage of the wing anti-ice (WAI) ducts to determine if the external shrouds of the ducts are open or cracked, and replacement of any damaged duct with a new duct or a duct with the same part number, and an optional terminating action. This amendment requires accomplishment of the previously optional terminating action for the AFM revision and inspection. The actions specified by this AD are intended to prevent the WAI ducts from collapsing, cracking, or rupturing, which could cause leakage of hot air in the under-floor pressurized area of the fuselage when the anti-ice system is turned on. Such leakage of hot air results in insufficient heat for the anti-ice system and consequent aerodynamic degradation. This action is intended to address the identified unsafe condition.

**DATES:** Effective December 31, 2003.

The incorporation by reference of a certain publication listed in the regulations was approved previously by the Director of the Federal Register as of June 27, 2003 (68 FR 35152, June 12, 2003).

**ADDRESSES:** The service information referenced in this AD may be obtained from Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centreville, Montreal, Quebec H3C 3G9, Canada. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Dan Parrillo, Aerospace Engineer, Systems and Flight Test Branch, ANE–172, FAA, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256–7505; fax (516) 568–2716.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 2003–12–06, amendment 39–13191 (68 FR 35152, June 12, 2003), which is applicable to certain Bombardier Model CL–600–2C10 (Regional Jet Series 700 & 701) series airplanes, was published in the **Federal Register** on August 22, 2003 (68 FR 50729). That action proposed to require an inspection to detect damage of the wing anti-ice (WAI) ducts to determine if the external shrouds of the ducts are open or cracked, and replacement of any damaged duct with a new duct or a duct with the same part number, and an optional terminating action for the AFM revision and inspection. That action also proposed to require accomplishment of the previously optional terminating action for the AFM revision and inspection.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comment received.

#### Request To Require Replacement Parts With Sufficient Strength

One commenter is concerned that the language of the AD calls for replacement of any damaged duct with a new or undamaged duct of the same part number that was previously installed; and that a replacement duct of the same part number would not be of sufficient strength to withstand the applied differential pressures it will experience. The commenter requests that the FAA mandate the replacement of a damaged wing anti-ice (WAI) duct with a stronger duct with a new part number.

The FAA acknowledges the commenter's concern. The purpose of this AD action is to supersede AD 2003–12–06, amendment 39–13191 (68 FR 35152, June 12, 2003), which provides an interim action that prohibits operations into known or forecast icing conditions when there are indications of a damaged WAI duct. That action also provides for inspections and interim replacements of damaged ducts. This new action terminates the interim actions of AD 2003–12–06 by mandating the replacement of all four WAI ducts with new WAI ducts that have new part numbers. We find that these new ducts are of sufficient strength to withstand the applied differential pressure, as requested by the commenter. We have not changed the final rule regarding this issue.

#### Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

There are approximately 55 airplanes of U.S. registry that will be affected by this AD.

The AFM revision that is currently required by AD 2003–12–06 takes 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 previously required actions on U.S. operators is estimated to be \$3,575, or \$65 per airplane.

The inspection that is currently required by AD 2003–12–06 takes approximately 4 work hours per airplane to accomplish, at an average labor rate of \$65 per work hour. Based