

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2012-0279; Directorate Identifier 2012-CE-007-AD]

RIN 2120-AA64

**Airworthiness Directives; Alpha Aviation Concept Limited (Type Certificate Previously Held by Alpha Aviation Design Limited) Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for Alpha Aviation Concept Limited Model R2160 airplanes. This proposed AD results from mandatory 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 oil lines fitted to affected aircraft are not fire resistant. We are issuing this proposed AD to require actions to address the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by May 3, 2012.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* (202) 493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Alpha Aviation Concept Limited, Ingram Road, Hamilton Airport, RD 2, Hamilton 2021, New Zealand; telephone: 011 64 7 843 7070; fax: 011 64 7843 8040; email: [customer.support@alphaaviation.co.nz](mailto:customer.support@alphaaviation.co.nz); Internet: <http://www.alphaaviation.co.nz>.

You may review copies of the 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.

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.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 this proposed AD, 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.

**FOR FURTHER INFORMATION CONTACT:** Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4146; fax: (816) 329-4090; email: [karl.schletzbaum@faa.gov](mailto:karl.schletzbaum@faa.gov).

**SUPPLEMENTARY INFORMATION:****Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2012-0279; Directorate Identifier 2012-CE-007-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

**Discussion**

The Civil Aviation Authority (CAA), which is the aviation authority for New Zealand, has issued AD DCA/R2000/40, dated February 23, 2012 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

It has been determined that the oil lines fitted to affected aircraft are not fire resistant and not compliant with the requirements in FAR 23.1183. To correct this unsafe condition the Civil Aviation Authority of New Zealand issued DCA/R2000/34 requiring the replacement of oil lines with fire resistant lines. Since the issue of that AD it has been determined that the oil transmitter hoses are also not compliant with

FAR 23.1183. DCA/R2000/40 retains the requirements in superseded DCA/R2000/34. The AD requirement expanded to include the replacement of the oil pressure transducer hoses.

**Relevant Service Information**

Alpha Aviation has issued Service Bulletin AA-SB-79-001, Revision 0, dated February 2012; and Apex Aircraft has issued Service Bulletin No. 020310, dated June 3, 2002. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

**FAA's Determination and Requirements of the Proposed AD**

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

**Costs of Compliance**

We estimate that this proposed AD will affect 10 products of U.S. registry. We also estimate that it would take about 4 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$510 per product.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$8,500, or \$850 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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD 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.

For the reasons discussed above, I certify 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),
- (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.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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:

**Alpha Aviation Concept Limited (Type Certificate previously held by Alpha Aviation Design Limited):** Docket No. FAA-2012-0279; Directorate Identifier 2012-CE-007-AD.

#### (a) Comments Due Date

We must receive comments by May 3, 2012.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Alpha Aviation Concept Limited Model R2160 airplanes, serial numbers 001 through 378, certificated in any category.

#### (d) Subject

Air Transport Association of America (ATA) Code 79: Engine Oil.

#### (e) Reason

This AD was prompted by a determination that the oil lines and the oil pressure transducer hose fitted to affected aircraft are not fire resistant. We are issuing this AD to detect and replace non-fire resistant oil lines, which, if not corrected, could lead to an inflight fire.

#### (f) Actions and Compliance

Unless already done, do the following actions:

(1) Within 50 hours time-in-service (TIS) after the effective date of this AD, replace the oil hose lines following Apex Aircraft Service Bulletin No. 020310, dated June 3, 2002, and replace the oil pressure transducer hose and associated hardware following Alpha Aviation Service Bulletin AA-SB-79-001, Revision 0, dated February 2012.

(2) As of the effective date of this AD, do not install any oil hose lines with part number 41-23-56-000, 53-11-10-000, 53-20-13-000, 53-20-14-000, 53-34-10-010, 53-18-02-030, 53-21-14-000, or 53-22-01-000 on the affected aircraft.

#### (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: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4146; fax: (816) 329-4090; email: [karl.schletzbaum@faa.gov](mailto:karl.schletzbaum@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.

(3) *Reporting Requirements:* For any reporting requirement in this AD, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments

concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES-200.

#### (h) Related Information

Refer to MCAI Civil Aviation Authority of New Zealand AD DCA/R2000/40, dated February 23, 2012; Apex Aircraft Service Bulletin No. 020310, dated June 3, 2002; and Alpha Aviation Service Bulletin AA-SB-79-001, Revision 0, dated February 2012, for related information. For service information related to this AD, contact Alpha Aviation Concept Limited, Ingram Road, Hamilton Airport, RD 2, Hamilton 2021, New Zealand; telephone: 011 64 7 843 7070; fax: 011 64 7843 8040; email: [customer.support@alphaaviation.co.nz](mailto:customer.support@alphaaviation.co.nz); Internet: <http://www.alphaaviation.co.nz>. You may review copies of the 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.

Issued in Kansas City, Missouri, on March 12, 2012.

**James E. Jackson,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2012-6440 Filed 3-16-12; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

### 33 CFR Part 100

[Docket No. USCG-2012-0066]

RIN 1625-AA08

### Special Local Regulations; OPSAIL 2012 Connecticut, Niantic Bay, Long Island Sound, Thames River and New London Harbor, New London, CT

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish temporary special local regulations on the navigable waters of Niantic Bay, Long Island Sound, the Thames River and New London Harbor, New London, Connecticut for OPSAIL 2012 Connecticut (CT) activities. This action is necessary to provide for the safety of life on navigable waters during OPSAIL 2012 CT. This action would restrict vessel traffic in portions of Niantic Bay, Long Island Sound, the Thames River, and New London Harbor unless authorized by the Captain of the Port (COTP) Sector Long Island Sound (SLIS).