

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

[Docket No. FAA-2011-0230; Directorate Identifier 2011-CE-004-AD]

RIN 2120-AA64

**Airworthiness Directives; British Aerospace Regional Aircraft Model HP.137 Jetstream Mk.1, Jetstream Series 200, Jetstream Series 3101, and Jetstream Model 3201 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 the products listed above. 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:

As a result of fatigue-testing programme on Jetstream aeroplanes, cracks have been found on the main landing gear (MLG) fittings that embody modifications JM5218 or JM8003.

This condition, if not detected and corrected, could lead to a MLG collapse on the ground or during landing, possibly resulting in a fuel tank rupture, consequent damage to the aeroplane or injury to the occupants.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by May 2, 2011.

**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 BAE Systems (Operations) Ltd, Customer Information Department, Prestwick International

Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; *phone:* +44 1292 675207, *fax:* +44 1292 675704; *e-mail:* [RApublications@baesystems.com](mailto:RApublications@baesystems.com). 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:**

Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329-4138; *fax:* (816) 329-4090.

**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-2011-0230; Directorate Identifier 2011-CE-004-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 European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No. 2011-0016, dated February 1, 2011 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products.. The MCAI states:

As a result of fatigue-testing programme on Jetstream aeroplanes, cracks have been found

on the main landing gear (MLG) fittings that embody modifications JM5218 or JM8003.

This condition, if not detected and corrected, could lead to a MLG collapse on the ground or during landing, possibly resulting in a fuel tank rupture, consequent damage to the aeroplane or injury to the occupants.

Analysis of this failure indicates that an inspection regime has to be implemented in order to ensure the safe operation of the MLG beyond the accumulation of 41,000 Flight Cycles (FC).

For the reasons described above, this AD requires initial and repetitive eddy current inspections, and depending on findings, accomplishment of corrective actions.

The MCAI requires replacing or repairing any cracked MLG fitting found during the initial and repetitive inspections. You may obtain further information by examining the MCAI in the AD docket.

**Relevant Service Information**

BAE Systems has issued British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA090240, Revision 1, dated January 18, 2010. 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.

**Differences Between This Proposed 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 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 proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

## Costs of Compliance

We estimate that this proposed AD will affect 190 products of U.S. registry. We also estimate that it would take about 20 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$323,000 or \$1,700 per product.

In addition, we estimate that any necessary follow-on actions would take about 4 work-hours and require parts costing \$8,000, for a cost of \$8,340 per product. We have no way of determining the number of products that may need these actions.

## 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); 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 proposed AD and placed it in the AD docket.

## 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:

**British Aerospace Regional Aircraft:** Docket No. FAA-2011-0230; Directorate Identifier 2011-CE-004-AD.

### Comments Due Date

- (a) We must receive comments by May 2, 2011.

### Affected ADs

- (b) None.

### Applicability

(c) This AD applies to British Aerospace Regional Aircraft Model HP.137 Jetstream Mk.1, Jetstream Series 200, Jetstream Series 3101, and Jetstream Model 3201 airplanes, all serial numbers, that are:

- (1) Equipped with main landing gear (MLG) fittings, part number (P/N) 1379133B1/B2/B3/B4 that incorporate Modifications JM5218 or JM8003; and
- (2) certificated in any category.

### Subject

(d) Air Transport Association of America (ATA) Code 32: Landing Gear.

### Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

As a result of fatigue-testing programme on Jetstream aeroplanes, cracks have been found on the main landing gear (MLG) fittings that embody modifications JM5218 or JM8003.

This condition, if not detected and corrected, could lead to a MLG collapse on the ground or during landing, possibly resulting in a fuel tank rupture, consequent damage to the aeroplane or injury to the occupants.

Analysis of this failure indicates that an inspection regime has to be implemented in order to ensure the safe operation of the MLG beyond the accumulation of 41,000 Flight Cycles (FC).

For the reasons described above, this AD requires initial and repetitive eddy current inspections, and depending on findings, accomplishment of corrective actions.

The MCAI requires replacing or repairing any cracked MLG fitting found during the initial and repetitive inspections. You may obtain further information by examining the MCAI in the AD docket.

## Actions and Compliance

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

(1) Upon accumulating 41,000 flight cycles (landings) on the MLG since first installation or within the next 2,000 flight cycles (landings) on the MLG after the effective date of this AD, whichever occurs later, eddy current inspect all the MLG leg pivot beam fastener bores for cracks. Do the inspections following British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA090240, Revision 1, dated January 18, 2010.

(2) Before further flight after any inspection required in paragraphs (f)(1), (f)(2)(i), and (f)(2)(ii) of this AD in which cracks are found, replace the MLG fitting or repair any cracks. Cracks are defined in paragraph 2.D.(4) of British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA090240, Revision 1, dated January 18, 2010. Replace or repair the MLG fitting following British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA090240, Revision 1, dated January 18, 2010. Any time the MLG fitting is repaired or replaced, do the following actions as applicable:

(i) *MLG fitting is replaced with a new MLG fitting as specified in paragraph (f)(2) of this AD:* Upon accumulating 41,000 flight cycles (landings) after replacement, eddy current inspect all the MLG leg pivot beam fastener bores for cracks. Do the inspections following British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA090240, Revision 1, dated January 18, 2010.

(ii) *MGL fitting is repaired as specified in paragraph (f)(2) of this AD:* Upon accumulating 27,000 flight cycles (landings) after the last repair and repetitively thereafter at intervals not to exceed 27,000 flight cycles (landings), eddy current inspect all the MLG leg pivot beam fastener bores for cracks. Do the inspections following British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA090240, Revision 1, dated January 18, 2010.

(3) If no cracks are found during any inspection required in paragraph (f)(1), (f)(2)(i), or (f)(2)(ii) of this AD, repetitively thereafter upon accumulating 27,000 flight cycles (landings) after the last inspection, eddy current inspect all the MLG leg pivot beam fastener bores for cracks.

(4) As of the effective date of this AD, only install a MLG fitting specified in paragraph (c)(1) of this AD that has been eddy current inspected and found free of cracks following British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA090240, Revision 1, dated January 18, 2010.

(5) The compliance times of this AD are presented in flight cycles (landings). If the total flight cycles have not been kept, multiply the total number of airplane hours time-in-service by 0.75. For the purposes of this AD:

- (1) 75 cycles equals 100 hours TIS; and
- (2) 750 cycles equals 1,000 hours TIS.

**Note 1:** Credit will be given for the inspection required in paragraph (f)(1) of this

AD and the corrective action required in paragraph (f)(2) of this AD if already done before the effective date of this AD following British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA090240, original issue dated April 29, 2009; and BEA Systems All Operator Message: Ref 09-014J-1, issue 1, dated July 31, 2009.

#### FAA AD Differences

**Note 2:** 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 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:* Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329-4138; *fax:* (816) 329-4090. 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.

#### Related Information

(h) Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2011-0016, dated February 1, 2011; British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA090240, original issue dated April 29, 2009; British Aerospace Jetstream Series 3100 & 3200 Service Bulletin 32-JA090240, Revision 1, dated January 18, 2010; and BAE Systems All Operator Message: Ref 09-014J-

1, issue 1 dated July 31, 2009, for related information. For service information related to this AD, contact BAE Systems (Operations) Ltd, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; *telephone:* +44 1292 675207, *fax:* +44 1292 675704; e-mail: *RApublications@baesystems.com*. 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 10, 2011.

**Earl Lawrence,**

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

[FR Doc. 2011-6097 Filed 3-15-11; 8:45 am]

**BILLING CODE 4910-13-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 132

[EPA-HQ-OW-2010-0492; FRL-9279-6]

RIN 2040-AF23

### Proposed Withdrawal of Certain Federal Aquatic Life Water Quality Criteria Applicable to Wisconsin

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to withdraw Federal aquatic life water quality criteria for chronic and acute copper and nickel, and chronic endrin and selenium applicable to certain waters of the Great Lakes in Wisconsin. Wisconsin's revised and EPA-approved criteria adequately protect all waters of the State designated for aquatic life use at a level consistent with the Federal requirements. Once finalized, the withdrawal will enable Wisconsin to implement its EPA-approved aquatic life criteria.

**DATES:** Written comments must be received by April 15, 2011.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OW-2010-0492, by one of the following methods:

- *http://www.regulations.gov:* Follow the on-line instructions for submitting comments.

- *E-mail:* ow-docket@epa.gov.
- *Mail to either:* Water Docket, USEPA, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460 or Francine Norling, Proposed Withdrawal of Certain Federal Aquatic Life Water Quality Criteria Applicable

to Wisconsin, U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, IL 60604, Attention Docket ID No. EPA-HQ-OW-2010-0492.

- *Hand Delivery:* EPA Docket Center, EPA West Room 3334, 1301 Constitution Ave., NW., Washington, DC 20229 or Francine Norling, Proposed Withdrawal of Certain Federal Aquatic Life Water Quality Criteria Applicable to Wisconsin, U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, IL 60604, Attention Docket ID No. EPA-HQ-OW-2010-0492. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-OW-2010-0492. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or e-mail. The *http://www.regulations.gov* Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through *http://www.regulations.gov* your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm*.

**Docket:** All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other