



[4910-13-P]

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2020-0743; Project Identifier MCAI-2020-00728-A; Amendment 39-21200; AD 2020-16-16]**

**RIN 2120-AA64**

**Airworthiness Directives; Pacific Aerospace Limited Airplanes**

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

**ACTION:** Final rule; request for comments

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for Pacific Aerospace Limited Model 750XL airplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as the outer race of bearing migrating out of the aileron pivot fork on the control column. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective [INSERT DATE 20 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of [INSERT DATE 20 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The FAA must receive comments on this AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

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

- Federal eRulemaking Portal: Go to <https://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 AD, contact Pacific Aerospace Limited, Airport Road, Hamilton, Private Bag 3027, Hamilton 3240, New Zealand; telephone: +64 7 843 6144; facsimile: +64 7 843 6134; email: [pacific@aerospace.co.nz](mailto:pacific@aerospace.co.nz); internet: <https://www.aerospace.co.nz>. You may view this referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148. It is also available on the internet at <https://www.regulations.gov> by searching for Docket No. FAA-2020-0743.

### **Examining the AD Docket**

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0743; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Mike Kiesov, Aerospace Engineer, FAA, General Aviation & Rotorcraft Section, International Validation Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; fax: (816) 329-4090; email: mike.kiesov@faa.gov.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

The Civil Aviation Authority (CAA), which is the aviation authority for New Zealand, has issued AD No. DCA/750XL/33A, dated February 7, 2019 (referred to after this as “the MCAI”), to correct an unsafe condition for Pacific Aerospace Limited Model 750XL airplanes. The MCAI states:

DCA/750XL/33A is prompted by a report of finding the outer race of bearing P/N NA4901-2RSR migrating out of an aileron pivot fork on a control column of a 750XL aircraft. The [CAA] AD is issued to introduce retaining washers to the aileron pivot bearings in accordance with the instructions in Pacific Aerospace Mandatory Service Bulletin (MSB) PACSB/XL/115 issue 3, dated 21 January 2019. This issue 3 MSB introduces alternate washer P/N AN960-516 for P/N AN960-516L. The issue 2 MSB introduced alternate bolts for P/N NAS6605D60.

The original design of the aileron pivot bearings did not have the retaining hardware. After the design was revised and the retaining hardware was added to the design drawing, production did not follow the drawing. As a result, aileron pivot bearings were installed on the affected airplanes without retaining hardware. Without the retaining hardware, the outer race of the bearing can slip out of the aileron pivot fork, which may lead to excessive play in the control column.

You may examine the MCAI on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0743.

### **Related Service Information under 1 CFR part 51**

The FAA reviewed Pacific Aerospace Limited Mandatory Service Bulletin PACSB/XL/115, Issue 3, dated January 21, 2019; Pacific Aerospace Limited Drawing Number WAS 7, Issue B, dated November 27, 2018; and Pacific Aerospace Limited Drawing Number WAS18, Issue NC, dated December 13, 2018. The service bulletin contains procedures for inspecting the aileron pivot fork end bearing assemblies of the starboard and port control columns for security and installing retaining washers and a bolt secured with a castellated nut and split pin. The service drawings contain the specifications of the required washers. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

### **Other Related Information**

The FAA also reviewed Pacific Aerospace Drawing Number BOL6603 thru 6620, Issue A, dated December 19, 2018. This drawing contains the specifications for bolts that may be used in the aileron pivot fork end bearing assemblies.

### **Differences Between the MCAI and This AD**

The MCAI requires a daily inspection of the bearing assemblies and allows either a mechanic or a pilot rated for this airplane to perform these inspections. This AD does not require these daily inspections.

The MCAI requires installation of the retaining hardware within 165 hours time-in-service (TIS). The aileron pivot fork bearing could migrate out of position at any time during any flight operation. Because this AD does not require the daily visual inspections until the retaining hardware is installed, the FAA has determined that a shorter compliance time is necessary to address the unsafe condition. Therefore, this AD requires installing the retaining hardware within 10 hours TIS or 15 days, whichever occurs first.

### **FAA's Determination and Requirements of this 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, it has notified us of the unsafe condition described in the MCAI and service information referenced above. The FAA is issuing this AD because it evaluated all information provided by the State of Design Authority and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

### **FAA's Determination of the Effective Date**

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because the aileron pivot fork bearing could slip out of the control column at any time during flight and cause excessive play in the control column. This condition could result in loss of airplane control. Therefore, the corrective actions are required by this AD within 10 hours TIS or 15 days, whichever occurs first. The risk assessment received by the FAA, and reconfirmed in July of 2020, indicates that urgent action is required. Thus, the FAA finds good cause that notice and opportunity for prior public comment are impracticable. In addition, for the reasons stated above, the FAA finds that good cause exists for making this amendment effective in less than 30 days.

### **Comments Invited**

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment. However, we invite you to send any written data, views, or arguments about this final rule. Send your comments to an address listed under the ADDRESSES section. Include the Docket Number FAA-2020-0743 and Product Identifier MCAI-2020-00728-A at the beginning of your comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments we receive, without change, to <https://www.regulations.gov>, including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact we receive about this final rule.

### **Confidential Business Information**

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this AD contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this AD, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this AD. Submissions containing CBI should be sent to Mike Kiesov, Aerospace Engineer, FAA General Aviation & Rotorcraft Section, International Validation Branch, 901 Locust, Room 301, Kansas City, Missouri 64106. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

### **Costs of Compliance**

The FAA estimates that this AD will affect 22 products of U.S. registry. The FAA estimates that it will take 3 work-hours per product to install the retaining washers and bolt secured with a castellated nut and split pin to the aileron pivot fork bearing required by this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$20.

Based on these figures, the FAA estimates the cost of this AD on U.S. operators to be \$6,050, or \$275 per product.

According to the manufacturer, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. The FAA does not control warranty coverage for affected individuals. As a result, the FAA has included all costs in this cost estimate.

### **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.

The FAA is 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 Flexibility Act**

The requirements of the Regulatory Flexibility Act (RFA) do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because FAA has determined that it has good cause to adopt this rule without notice and comment, RFA analysis is not required.

### **Regulatory Findings**

The FAA determined that this AD will not have federalism implications under Executive Order 13132. This AD will 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 that this AD:

- (1) Is not a “significant regulatory action” under Executive Order 12866, and
- (2) Will not affect intrastate aviation in Alaska.

**List of Subjects in 14 CFR Part 39**

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

**Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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 airworthiness directive:

2020-16-16 **Pacific Aerospace Limited:** Amendment 39-21200; Docket No.

FAA-2020-0743; Project Identifier MCAI-2020-00728-A.

**(a) Effective Date**

This airworthiness directive (AD) becomes effective [INSERT DATE 20 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Pacific Aerospace Limited Model 750XL airplanes, serial numbers 101 through 220, 8001, and 8002, certificated in any category.

**(d) Subject**

Air Transport Association of America (ATA) Code 27: Flight Controls.

**(e) Reason**

This AD was prompted by mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as the outer race of bearing migrating out of the aileron pivot fork on the control column. The FAA is issuing this AD to prevent the aileron pivot fork bearing from slipping out of the control column during flight. This unsafe condition, if not corrected, could cause excessive play in the control column with consequent loss of airplane control.

**(f) Actions and Compliance**

Unless already done, within 10 hours time-in-service after [INSERT DATE 20 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] (the effective date of this AD) or within 15 days after [INSERT DATE 20 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] (the effective date of this AD), whichever occurs first, install retaining hardware on each aileron pivot fork bearing assembly fork end on the starboard and port control columns in accordance with Part B-Installation-hardware of the Accomplishment Instructions in Pacific Aerospace Limited Mandatory Service Bulletin PACSB/XL/115, Issue 3, dated January 21, 2019; Pacific Aerospace Limited Drawing Number WAS 7, Issue B, dated November 27, 2018; and Pacific Aerospace Limited Drawing Number WAS18, Issue NC, dated December 13, 2018.

**(g) Alternative Methods of Compliance (AMOCs)**

The Manager, International Validation Branch, 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: Mike Kiesov, Aerospace Engineer, FAA, General Aviation & Rotorcraft Section, International Validation Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; fax: (816) 329-4090; email: [mike.kiesov@faa.gov](mailto:mike.kiesov@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.

**(h) Special Flight Permit**

Special flight permits are not permitted for this AD.

**(i) Related Information**

Refer to MCAI Civil Aviation Authority AD No. DCA/750XL/33A, dated February 7, 2019; and Pacific Aerospace Limited Drawing Number BOL6603 thru 6620, Issue A, dated December 19, 2018, for related information. You may examine the MCAI on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0743. You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

**(j) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Pacific Aerospace Limited Mandatory Service Bulletin PACSB/XL/115, Issue 3, dated January 21, 2019.

(ii) Pacific Aerospace Limited Drawing Number WAS 7, Issue B, dated November 27, 2018.

(iii) Pacific Aerospace Limited Drawing Number WAS18, Issue NC, dated December 13, 2018.

(3) For Pacific Aerospace Limited service information identified in this AD, contact Pacific Aerospace Limited, Airport Road, Hamilton, Private Bag 3027, Hamilton

3240, New Zealand; phone: +64 7843 6144; fax: +64 7843 6134; email: [pacific@aerospace.co.nz](mailto:pacific@aerospace.co.nz); internet: <https://www.aerospace.co.nz>.

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148. It is also available on the internet at <https://www.regulations.gov> by searching for locating Docket No. FAA-2020-0743.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on August 4, 2020.

Gaetano A. Sciortino, Deputy Director for Strategic Initiatives,  
Compliance & Airworthiness Division,  
Aircraft Certification Service

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