

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2003-CE-06-AD]

RIN 2120-AA64

#### Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes

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

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

**SUMMARY:** This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Pilatus Aircraft Ltd. (Pilatus) Models PC-12 and PC-12/45 airplanes. This proposed AD would require you to inspect the pedestal leg assembly on aft facing passenger seats for correct configuration. If incorrectly configured, this proposed AD would require you to modify to the correct configuration. This proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Switzerland. The actions specified by this proposed AD are intended to detect and correct pedestal leg assemblies on aft facing passenger seats that are in nonconformance with manufacturing standards. Nonconforming passenger seats could result in passenger injury in an emergency situation.

**DATES:** The Federal Aviation Administration (FAA) must receive any comments on this proposed rule on or before March 26, 2003.

**ADDRESSES:** Submit comments to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003-CE-06-AD, 901 Locust, Room 506, Kansas City, Missouri 64106. You may view any comments at this location between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. You may also send comments electronically to the following address:

9-ACE-7-Docket@faa.gov. Comments sent electronically must contain "Docket No. 2003-CE-06-AD" in the subject line. If you send comments electronically as attached electronic files, the files must be formatted in Microsoft Word 97 for Windows or ASCII text.

You may get service information that applies to this proposed AD from Pilatus Aircraft Ltd., Customer Liaison Manager, CH-6371 Stans, Switzerland; telephone: +41 41 619 63 19; facsimile: +41 41 619 6224; or from Pilatus Business Aircraft Ltd., Product Support Department, 11755 Airport Way, Broomfield, Colorado 80021; telephone: (303) 465-9099; facsimile: (303) 465-6040. You may also view this information at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:**

Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4059; facsimile: (816) 329-4090.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

*How do I comment on this proposed AD?* The FAA invites comments on this proposed rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments to the address specified under the caption **ADDRESSES**. We will consider all comments received on or before the closing date. We may amend this proposed rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of this proposed AD action and determining whether we need to take additional rulemaking action.

*Are there any specific portions of this proposed AD I should pay attention to?* The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this proposed rule that might suggest a need to modify the proposed rule. You may view all comments we receive before and after the closing date of the proposed rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each contact we have with the public that concerns the substantive parts of this proposed AD.

*How can I be sure FAA receives my comment?* If you want FAA to acknowledge the receipt of your mailed comments, you must include a self-addressed, stamped postcard. On the postcard, write "Comments to Docket No. 2003-CE-06-AD." We will date stamp and mail the postcard back to you.

**Discussion**

*What events have caused this proposed AD?* The Federal Office for Civil Aviation (FOCA), which is the airworthiness authority for Switzerland, recently notified FAA that an unsafe condition may exist on certain Pilatus Models PC-12 and PC-12/45 airplanes. The FOCA reports that, during manufacture of certain aft facing aircraft passenger seats (vendor part numbers (VPN) 403008-1 and 403008-2), the forward pedestal legs were installed in reverse order. One instance was found during the seat manufacturer's final quality control inspection. Pilatus found another instance.

*What are the consequences if the condition is not corrected?* This condition, if not corrected, could result in failure of the aircraft seat pedestal leg assembly. Such failure could result in passenger injury in an emergency situation.

*Is there service information that applies to this subject?* Pilatus has issued Pilatus PC12 Service Bulletin No. 25-025, dated September 27, 2002.

*What are the provisions of this service information?* The service bulletin specifies inspecting the forward pedestal legs of certain aircraft aft facing passenger seats for correct configuration.

This service bulletin also references Decrane Aircraft, ERDA, Inc., Service Bulletin SB02010, Revision A, June 3, 2002, which includes procedures for accomplishing the inspection and procedures for modifying incorrectly configured seat assemblies to the correct configuration.

*What action did the FOCA take?* The FOCA classified these service bulletins as mandatory and issued Swiss AD Number HB 2002-658, dated November 30, 2002, in order to ensure the continued airworthiness of these airplanes in Switzerland.

*Was this in accordance with the bilateral airworthiness agreement?* These airplane models are manufactured in Switzerland 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, the FOCA has kept FAA informed of the situation described above.

**The FAA's Determination and an Explanation of the Provisions of This Proposed AD**

*What has FAA decided?* The FAA has examined the findings of the FOCA; reviewed all available information, including the service information referenced above; and determined that: —The unsafe condition referenced in this document exists or could develop on other Pilatus PC-12 and PC-12/45 of the same type design that are on the U.S. registry; —the actions specified in the previously-referenced service

information should be accomplished on the affected airplanes; and —AD action should be taken in order to correct this unsafe condition.

*What would this proposed AD require?* This proposed AD would require you to inspect the pedestal leg assembly on aft facing passenger seats for correct configuration. If incorrectly configured, this proposed AD would require you to modify to the correct configuration.

*What are the differences between this proposed AD, the service information, and the FOCA AD?* The FOCA AD and the service information require an inspection of the identification tag on certain passenger seats to determine if the Pilatus part number correctly corresponds to the ERDA vendor part number. The identification tag may incorrectly identify the Pilatus part number; although the ERDA vendor part number is correct. If the corresponding part numbers are incorrect, the FOCA AD and the service information require

affixing a new identification tag with the correct corresponding Pilatus part number. The procedures for accomplishing this inspection and modification are contained in Decrane Aircraft, ERDA, Inc., Service Bulletin SB02011, Revision A, June 3, 2002.

Because the ERDA part number is correct, we are not including this as part of the unsafe condition. However, we will include a note in this proposed AD recommending that you verify that the corresponding Pilatus part number is correct.

**Cost Impact**

*How many airplanes would this proposed AD impact?* We estimate that this proposed AD affects 280 airplanes in the U.S. registry.

*What would be the cost impact of this proposed AD on owners/operators of the affected airplanes?* We estimate the following costs to accomplish the proposed inspection:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
1 workhour × \$60 = \$60 .....	No parts required to perform inspection .....	\$60	\$60 × 280 = \$16,800

We estimate the following costs to accomplish the proposed modification:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
2 workhours × \$60 = \$120 .....	\$150 .....	\$270	\$270 × 280 = \$75,600

**Compliance Time of This Proposed AD**

*What would be the compliance time of this proposed AD?* The compliance time of this proposed AD is “within the next 90 days after the effective date of this AD.”

*Why is the proposed compliance time presented in calendar time instead of hours time-in-service (TIS)?* The compliance of this proposed AD is presented in calendar time instead of hours TIS because the unsafe condition is a result of an improper installation. The unsafe condition has the same chance of occurring on an airplane with 50 hours TIS as it would for an airplane with 1,000 hours TIS. Therefore, we believe that a compliance time of 90 days will:

- Ensure that the unsafe condition does not go undetected for a long period of time on the affected airplanes; and
- Not inadvertently ground any of the affected airplanes.

**Regulatory Impact**

*Would this proposed AD impact various entities?* 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 proposed rule would not have federalism implications under Executive Order 13132.

*Would this proposed AD involve a significant rule or regulatory action?* For the reasons discussed above, I certify that this proposed action (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under 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 has been placed 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, under 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. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

**Pilatus Aircraft Ltd.:** Docket No. 2003-CE-06-AD

(a) *What airplanes are affected by this AD?* This AD affects Models PC-12 and PC-12/45 airplanes, manufacturer serial numbers (MSN) 101 through 436 that:

(1) Incorporate a passenger seat, ERDA Vendor Part Number (VPN) 403008-1 or 403008-2 (also identified as Pilatus Part Number (P/N) 959.30.01.601, 959.30.01.602, 959.30.01.613, or 959.30.01.614) (or FAA-approved equivalent part number), with a serial number as specified in Decrane Aircraft, ERDA, Inc., Service Bulletin SB02010, Revision A, June 3, 2002; and

(2) Are certificated in any category.  
 (b) *Who must comply with this AD?* Anyone who wishes to operate any of the airplanes identified in paragraph (a) of this AD must comply with this AD.  
 (c) *What problem does this AD address?* The actions specified by this AD are intended to detect and correct pedestal leg assemblies on aft facing passenger seats that are in

nonconformance with manufacturing standards. Nonconforming passenger seats could result in passenger injury in an emergency situation.  
 (d) *What actions must I accomplish to address this problem?* To address this problem, you must accomplish the following, unless already accomplished:

Actions	Compliance	Procedures
(1) Inspect the forward pedestal legs on the aircraft aft facing passenger seat for correct configuration.	Within the next 90 days after the effective date of this AD.	In accordance with Decrane Aircraft, ERDA, Inc., Service Bulletin SB02010, Revision A, June 3, 2002; as specified in Pilatus PC12 Service Bulletin No. 25-025, dated September 27, 2002.
(2) If the legs are incorrectly configured, modify to the correct configuration.	Prior to further flight after the inspection required in paragraph (d)(1) of this AD.	In accordance with Decrane Aircraft, ERDA, Inc., Service Bulletin SB02010, Revision A, June 3, 2002; as specified in Pilatus PC12 Service Bulletin No. 25-025, dated September 27, 2002.
(3) Do not install any affected seat specified in paragraph (a) of this AD unless it has been inspected as specified in paragraph (d)(1) of this AD and configured in accordance with Decrane Aircraft, ERDA, Inc., Service Bulletin SB02010, Revision A, June 3, 2002; as specified in Pilatus PC12 Service Bulletin No. 25-025, dated September 27, 2002.	As of the the effective date of this AD .....	In accordance with Decrane Aircraft, ERDA, Inc., Service Bulletin SB02010, Revision A, June 3, 2002; as specified in Pilatus PC12 Service Bulletin No. 25-025, dated September 27, 2002

**Note 1:** Although not required by this AD, we recommend that you verify that the Pilatus part number correctly corresponds with the ERDA vendor part number on certain passenger seats. The procedures for accomplishing this action are contained in Decrane Aircraft, ERDA, Inc., Service Bulletin SB02011, Revision A, June 3, 2002.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

- (1) Your alternative method of compliance provides an equivalent level of safety; and
- (2) The Manager, Standards Office, Small Airplane Directorate, approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standards Office.

**Note 2:** This AD applies to each airplane identified in paragraph (a) of this AD, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas

City, Missouri 64106; telephone: (816) 329-4059; facsimile: (816) 329-4090.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *How do I get copies of the documents referenced in this AD?* You may get copies of the documents referenced in this AD from Pilatus Aircraft Ltd., Customer Liaison Manager, CH-6371 Stans, Switzerland; telephone: +41 41 619 63 19; facsimile: +41 41 619 6224; or from Pilatus Business Aircraft Ltd., Product Support Department, 11755 Airport Way, Broomfield, Colorado 80021; telephone: (303) 465-9099; facsimile: (303) 465-6040. You may view these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

**Note 3:** The subject of this AD is addressed in Swiss AD Number HB 2002-658, dated November 30, 2002.

Issued in Kansas City, Missouri, on February 10, 2003.

**Michael Gallagher,**  
 Manager, Small Airplane Directorate, Aircraft Certification Service.  
 [FR Doc. 03-3871 Filed 2-18-03; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA 2003-14368; Airspace Docket No. ASD 02-ASW-4]

RIN 2120-AA66

**Proposed Revision of Jet Route; Baton Rouge, LA**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to revise segments of Jet Route 2 (J-2), J-138, and J-590 by realigning the routes to the north over the Baton Rouge, LA, Very High Frequency Omnidirectional Range/Tactical Air Navigation (VORTAC). The FAA is proposing this action to enhance the management of the aircraft operations over the Baton Rouge, LA, area.

**DATES:** Comments must be received on or before April 17, 2003.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2003-14368/ Airspace Docket No. 02-ASW-4, at the beginning of your comments.