

[Federal Register Volume 86, Number 150 (Monday, August 9, 2021)]

[Rules and Regulations]

[Pages 43406-43409]

From the Federal Register Online via the Government Publishing Office [www.gpo.gov]

[FR Doc No: 2021-17024]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2021-0619; Project Identifier AD-2021-00789-R; Amendment 39-21678; AD 2021-15-51]

RIN 2120-AA64

Airworthiness Directives; Bell Textron Inc. (Type Certificate Previously Held by Bell Helicopter Textron Inc.) Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Bell Textron Inc. (type certificate previously held by Bell Helicopter Textron Inc.) Model 204B, 205A, 205A-1, 205B, and 212 helicopters. This AD was prompted by a fatal accident in which an outboard main rotor hub strap pin (pin) sheared off during flight, resulting in the main rotor blade and the main rotor head detaching from the helicopter. This AD requires removing the pins from service before further flight and prohibits installing them on any helicopter. The FAA previously sent an emergency AD to all known U.S. owners and operators of these helicopters and is now issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 24, 2021. Emergency AD 2021-15-51, issued on July 6, 2021, which contained the requirements of this amendment, was effective with actual notice.

The FAA must receive comments on this AD by September 23, 2021.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, 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: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this final rule, contact Bell Textron, Inc., P.O. Box 482, Fort Worth, TX 76101; telephone (450) 437-2862 or (800) 363-8023; fax (450) 433-0272; email productsupport@bellflight.com; or at <https://www.bellflight.com/support/contact-support>. You may view this service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA 2021-0619; 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 final rule, any comments received, and other information. The street address for Docket Operations is listed above.

FOR FURTHER INFORMATION CONTACT: David Wilson, Aerospace Engineer, DSCO Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5786; email david.wilson@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

On July 6, 2021, the FAA issued Emergency AD 2021-15-51 (Emergency AD 2021-15-51), which requires, before further flight, removing from service all part number (P/N) 204-012-104-005 pins with a serial number (S/N) prefix “FNFS”. Emergency AD 2021-15-51 also prohibits installing the pin on any helicopter as of the emergency AD's effective date. The FAA sent Emergency AD 2021-15-51 to all known U.S. owners and operators of these helicopters.

Emergency AD 2021-15-51 was prompted by a fatal accident on a Bell Textron Inc. Model 212 helicopter in which a pin P/N 204-012-104-005 with an S/N prefix “FNFS” sheared off during flight, which resulted in the main rotor blade and the main rotor head detaching from the helicopter. The pin had accumulated only 20 total hours time-in-service (TIS). An inspection of a different Model 212 helicopter revealed that another pin installed, and made by the same manufacturer and with the same S/N prefix, was deformed; this pin had accumulated only 29 total hours TIS. Failure of the pin could result in the main rotor blade detaching from the helicopter and subsequent loss of control of the helicopter.

Prior to the FAA issuing Emergency AD 2021-15-51, Transport Canada, which is the aviation authority for Canada, issued Canadian Emergency AD CF-2021-23, dated July 5, 2021 (Transport Canada Emergency AD CF-2021-23), to correct an unsafe condition for the following Bell Helicopter Textron Inc., helicopters:

- Model 204B helicopters, S/Ns 2001 through 2070 and 2196 through 2199;
- Model 205A-1 helicopters, S/Ns 30001 through 30065, 30067 through 30165, 30167 through 30187, 30189 through 30296, and 30298 through 30332;
- Model 205B helicopters, S/Ns 30066, 30166, 30188, and 30297; and
- Model 212 helicopters, S/Ns 30501 through 30999, 31101 through 31311, 32101 through 32142, and 35001 through 35103.

Transport Canada advises that during an investigation of a Bell Textron Inc., Model 212 fatal accident in Canada, it was discovered that a pin P/N 204-012-104-005 with an S/N prefix “FNFS”, sheared off during flight, leading to detachment of the main rotor blade and the main rotor head. The pin had accumulated only 20 hours of service, and inspection of another Canadian Bell Textron Inc., Model 212 helicopter found a pin of the same P/N, made by the same manufacturer, with the same S/N prefix “FNFS”, to be deformed after only approximately 29 hours in service. According to

Transport Canada, failure of a main rotor hub strap pin will result in detachment of the main rotor blade and loss of control of the helicopter.

Transport Canada also advises that, although the defective pins were only reported on Bell Textron Inc., Model 212 helicopters, pins of the same P/N can also be installed on Bell Textron Inc., Model 204B, 205A-1, and 205B helicopters. While the cause of failure has not been determined, as a precautionary measure and to address the risk of detachment of main rotor hub strap pins in flight, Bell has issued Alert Service Bulletins to require replacing all pins with P/N 204-012-104-005 that have S/N prefix “FNFS”. Accordingly, Transport Canada Emergency AD CF-2021-23 mandates replacement of affected pins. Transport Canada considers its emergency AD an interim action and states that further AD action may follow.

FAA's Determination

The FAA is issuing this AD after evaluating all the relevant information and determining that the unsafe condition described previously is likely to exist or develop in other products of these same type designs.

Related Service Information

The FAA reviewed the following Bell Alert Service Bulletins (ASBs), each dated July 5, 2021:

- ASB 204B-21-74 for Bell Textron Inc., Model 204B helicopters, S/Ns 2001 through 2070 and 2196 through 2199;
- ASB 205-21-117 for Bell Textron Inc., Model 205A and 205A-1 helicopters, S/Ns 30001 through 30065, 30067 through 30165, 30167 through 30187, 30189 through 30296, and 30298 through 30332;
- ASB 205B-21-71 for Bell Textron Inc., Model 205B helicopters, S/Ns 30066, 30166, 30188 and 30297; and
- ASB 212-21-165 for Bell Textron Inc., Model 212 helicopters, S/Ns 30501 through 30999, 31101 through 31311, 32101 through 32142, and 35001 through 35103.

The ASBs specify removing all P/N 204-012-104-005 pins with an S/N prefix “FNFS” before further flight. The ASBs also specify that, although the investigation is still in progress, removing these pins from service is required. The ASBs state that these pins may not have been manufactured in accordance with the engineering design requirements and may therefore shear as a result of this nonconformance.

AD Requirements

This AD requires removing from service all P/N 204-012-104-005 pins with an S/N prefix “FNFS” before further flight. This AD also prohibits installing this pin on any helicopter as of the effective date of this AD.

Interim Action

The FAA considers this AD to be an interim action. If final action is later identified, the FAA might consider further rulemaking.

Justification for Immediate Adoption and Determination of the Effective Date

Section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 551 et seq.) authorizes agencies to dispense with notice and comment procedures for rules when the agency, for “good cause,” finds that those procedures are “impracticable, unnecessary, or contrary to the public

interest.” Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to make rules effective in less than thirty days, upon a finding of good cause.

An unsafe condition exists that required the immediate adoption of Emergency AD 2021-15-51, issued on July 6, 2021, to all known U.S. owners and operators of these helicopters. The FAA found that the risk to the flying public justified waiving notice and comment prior to adoption of this rule because an urgent unsafe condition existed and corrective action was required before further flight. This condition still exists, therefore, notice and opportunity for prior public comment are impracticable and contrary to the public interest pursuant to 5 U.S.C. 553(b)(3)(B).

In addition, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days, for the same reasons the FAA found good cause to forego notice and comment.

Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments to an address listed under ADDRESSES. Include the docket number FAA 2021-0619 and Project Identifier AD-2021-00789-R at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this final rule because of those 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 received, without change, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received 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 David Wilson, Aerospace Engineer, DSCO Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5786; email david.wilson@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

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 the FAA has determined that it has good cause to adopt this rule without prior notice and comment, RFA analysis is not required.

Costs of Compliance

The FAA estimates that this AD affects 160 helicopters of U.S. registry. Labor rates are estimated at \$85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

Replacing up to four pins takes about 20 work-hours and parts cost about \$1,756 for four pins for an estimated cost of up to \$3,456 per helicopter.

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 Findings

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.

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:



FAA
Aviation Safety

AIRWORTHINESS DIRECTIVE

www.faa.gov/aircraft/safety/alerts/
www.gpoaccess.gov/fr/advanced.html

2021-15-51 Bell Textron Inc. (Type Certificate Previously Held by Bell Helicopter Textron Inc.): Amendment 39-21678; Docket No. FAA 2021-0619; Project Identifier AD-2021-00789-R.

(a) Effective Date

This airworthiness directive (AD) is effective without actual notice on August 24, 2021. Emergency AD 2021-15-51, issued on July 6, 2021, which contained the requirements of this amendment, was effective with actual notice.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Bell Textron Inc. (type certificate previously held by Bell Helicopter Textron Inc.) Model 204B, 205A, 205A-1, 205B, and 212 helicopters, certificated in any category, with an outboard main rotor hub strap pin (pin) part number 204-012-104-005 with a serial number prefix "FNFS" installed.

(d) Subject

Joint Aircraft System Component (JASC) Code/Air Transport Association (ATA) of America Code: 6200, Main rotor system.

(e) Unsafe Condition

This AD was prompted by a fatal accident in which a pin sheared off during flight, resulting in the main rotor blade and the main rotor head detaching from the helicopter. The FAA is issuing this AD to address this unsafe condition and prevent loss of control of the helicopter.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

(1) Before further flight, remove from service any pin that is identified in paragraph (c) of this AD.

(2) As of the effective date of this AD, do not install any pin that is identified in paragraph (c) of this AD on any helicopter.

(h) Special Flight Permits

Special flight permits are prohibited.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, DSCO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (j)(1) of this AD. Information may be emailed to: 9-ASW-190-COS@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Related Information

(1) For more information about this AD, contact David Wilson, Aerospace Engineer, DSCO Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5786; email david.wilson@faa.gov.

(2) The subject of this AD is addressed in Transport Canada Emergency AD CF-2021-23, dated July 5, 2021.

Issued on July 30, 2021.

Ross Landes,

Deputy Director for Regulatory Operations, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021-17024 Filed 8-5-21; 4:15 pm]