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[4910-13-P]

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2017-0477; Product Identifier 2016-NM-112-AD; Amendment 39-18990; AD 2017-16-13]**

**RIN 2120-AA64**

**Airworthiness Directives; Bombardier, Inc., Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain Bombardier, Inc., Model CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604 Variants) airplanes. This AD was prompted by a report indicating that the lanyard length of the passenger drop down oxygen masks is too long. This AD requires replacing the existing oxygen mask lanyards with lanyards of the correct length. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** For service information identified in this final rule, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; Widebody Customer Response Center North America toll-free telephone 1-866-538-1247 or direct-dial telephone 1-514-855-2999; fax 514-855-7401; email ac.yul@aero.bombardier.com; Internet <http://www.bombardier.com>. You may view this referenced service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0477.

### **Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0477; 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 AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone 800-647-5527) is Docket Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Cesar A. Gomez, Aerospace Engineer, Airframe and Mechanical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7318; fax 516-794-5531.

## **SUPPLEMENTARY INFORMATION:**

### **Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Bombardier, Inc., Model CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604 Variants) airplanes. The NPRM published in the Federal Register on May 22, 2017 (82 FR 23156) ("the NPRM"). The NPRM was prompted by a report indicating that the lanyard length of the passenger drop down oxygen masks is too long. The NPRM proposed to require replacing the existing oxygen mask lanyards with lanyards of the correct length. We are issuing this AD to prevent improper oxygen flow functionality to the passenger oxygen masks in the event of an emergency.

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF-2016-15, dated May 18, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or "the MCAI"), to correct an unsafe condition for certain Bombardier, Inc., Model CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604 Variants) airplanes. The MCAI states:

Bombardier (BA) has determined that the lanyard length of the passenger drop down oxygen masks is too long and may cause the safety pin tethered to the opposite end of the lanyard to remain engaged in the oxygen flow mechanism when the mask is pulled to the passenger's face. In an emergency situation where oxygen is required, it is possible that certain passengers may not receive oxygen supply due to the increased length of the lanyard.

BA has issued service bulletin (SB) 605-35-003 to replace the existing lanyards in the passenger oxygen box assemblies with lanyards of the correct length.

Incorporation of this BA SB will restore the proper oxygen flow functionality to the passenger oxygen masks in the event of an emergency.

This [Canadian] AD mandates the incorporation of [Bombardier] SB 605-35-003.

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0477.

## **Comments**

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

## **Conclusion**

We reviewed the relevant data and determined that air safety and the public interest require adopting this AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

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

Bombardier, Inc., has issued Service Bulletin 605-35-003, Revision 02, dated April 18, 2016. This service information describes procedures for replacing the existing oxygen mask lanyards with lanyards of the correct length. 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.

### **Costs of Compliance**

We estimate that this AD affects 120 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

#### **Estimated costs**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replacement	4 work-hours X \$85 per hour = \$340	Not available	\$340	\$40,800

According to the manufacturer, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our 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.

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.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

### **Regulatory Findings**

We 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;
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.

### **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 (AD):

**2017-16-13 Bombardier, Inc.:** Amendment 39-18990; Docket No. FAA-2017-0477; Product Identifier 2016-NM-112-AD.

#### **(a) Effective Date**

This AD is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

#### **(b) Affected ADs**

None.

#### **(c) Applicability**

This AD applies to Bombardier, Inc., Model CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604 Variants) airplanes, certificated in any category, serial numbers 5702 through 5705 inclusive, 5707, 5709, 5710, 5712, 5714, 5715, 5718, 5719, 5722,

5723, 5725, 5727, 5728, 5731 through 5733 inclusive, 5735, 5736, 5740, 5742, 5743, 5745, 5746, 5748 through 5750 inclusive, 5752 through 5754 inclusive, 5756 through 5758 inclusive, 5760 through 5762 inclusive, 5764 through 5766 inclusive, 5768 through 5770 inclusive, 5772 through 5774 inclusive, 5776 through 5780 inclusive, 5782 through 5787 inclusive, 5790, 5791, 5793, 5794, 5796, 5797, 5799, 5800, 5802, 5803, 5805 through 5814 inclusive, 5816, 5818 through 5820 inclusive, 5823 through 5829 inclusive, 5831 through 5853 inclusive, 5856, 5857, 5859 through 5863 inclusive, 5865 through 5874 inclusive, 5876 through 5881 inclusive, 5883 through 5888 inclusive, 5890 through 5894 inclusive, 5896 through 5898 inclusive, 5900 through 5906 inclusive, 5908 through 5911 inclusive, 5913 through 5938 inclusive, 5940 through 5947 inclusive, 5949 through 5980 inclusive, 5982 through 5985 inclusive, 5987, and 5988.

**(d) Subject**

Air Transport Association (ATA) of America Code 35, Oxygen.

**(e) Reason**

This AD was prompted by a report indicating that the lanyard length of the passenger drop down oxygen masks is too long. The length of the oxygen mask lanyard might cause the safety pin tethered to the opposite end of the lanyard to remain engaged in the oxygen flow mechanism when the mask is pulled to the passenger's face. We are issuing this AD to prevent improper oxygen flow functionality to the passenger oxygen masks in the event of an emergency.

**(f) Compliance**

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

**(g) Replacement of Oxygen Mask Lanyards**

Within 2,400 flight hours or 60 months, whichever occurs first after the effective date of this AD, replace the existing lanyards in the passenger oxygen box assemblies with lanyards of the correct length, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 605-35-003, Revision 02, dated April 18, 2016.

**(h) Credit for Previous Actions**

This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Bombardier Service Bulletin 605-35-003, dated January 28, 2016; or Bombardier Service Bulletin 605-35-003, Revision 01, dated February 10, 2016.

**(i) Other FAA AD Provisions**

The following provisions also apply to this AD:

**(1) Alternative Methods of Compliance (AMOCs):** The Manager, New York ACO 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 ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531. 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.

**(2) Contacting the Manufacturer:** For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, New York ACO, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

**(j) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF-2016-15, dated May 18, 2016, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0477.

(2) For more information about this AD, contact Cesar A. Gomez, Aerospace Engineer, Airframe and Mechanical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7318; fax 516-794-5531.

(3) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (k)(3) and (k)(4) of this AD.

**(k) 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) Bombardier Service Bulletin 605-35-003, Revision 02, dated April 18, 2016.
  - (ii) Reserved.
- (3) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; Widebody Customer Response Center North America toll-free telephone 1-866-538-1247 or direct-dial telephone 1-514-855-2999; fax 514-855-7401; email ac.yul@aero.bombardier.com; Internet <http://www.bombardier.com>.
- (4) You may view this service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(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, call 202-741-6030, or go to:  
<http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on August 4, 2017.

Jeffrey E. Duven,  
Director,  
System Oversight Division,  
Aircraft Certification Service.

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