



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

**ORDER
8040.5**

Effective Date:
09/29/06

**SUBJ: AIRWORTHINESS DIRECTIVE PROCESS FOR MANDATORY CONTINUING
AIRWORTHINESS INFORMATION**

1. PURPOSE.

a. This order describes policy and procedures for developing Federal Aviation Administration (FAA) airworthiness directives (AD) on imported products where the State of Design Authority has issued mandatory continuing airworthiness information (MCAI). This order introduces and describes a process for evaluating all MCAI and determining whether individual MCAI meet certain criteria that would permit a quicker issuance of an FAA AD. Nothing in this order relieves the FAA of its obligation to independently determine whether an unsafe condition exists and is likely to exist or develop in other products of the same type design and whether a particular course of action is needed to correct that unsafe condition. We've written this order for FAA Aircraft Certification Service staff that develop, approve, and issue ADs for imported products (that is, aircraft, aircraft engines, propellers, and appliances). This order applies to all MCAI received by the FAA.

NOTE: For this order, the term "MCAI" means an AD or AD equivalent issued by the aviation authority of an exporting country (that is, the State of Design Authority). An AD equivalent may be a service document that has been classified as mandatory by a State of Design Authority. The term "MCAI" does not include service information that is referenced within the AD or AD equivalent.

b. Airworthiness Directive Manual FAA-AIR-M-8040.1 (referred to after this as "the AD Manual") provides general information governing the drafting and issuing of ADs. This order is not intended to duplicate the content of the AD Manual, but to supplement it where necessary for MCAI-related ADs. Where a conflict exists between the AD Manual and the information contained in this order, this order takes precedence for MCAI-related ADs.

c. This order provides AD templates for a Notice of Proposed Rulemaking (NPRM), Immediately Adopted Rule (IAR), and a Final Rule After Notice (FRAN). For all other types of ADs, refer to the AD Manual and Directorate work instructions for guidance on drafting and issuance.

2. DISTRIBUTION. Distribute this order to the Associate Administrator for Aviation Safety; to the division level in the Office of Rulemaking, the Office of Accident Investigation, the Office of Aviation Safety, the Office of the Chief Counsel; to the branch level in the FAA Academy, the

Office of Information Technology, the Flight Standards Service; regional flight standards divisions, and flight standards field facilities and Aircraft Evaluation Group; to all regional counsel in the regional offices; to the branch levels in the Aircraft Certification Service, aircraft certification directorates, aircraft certification offices, and aircraft certification field offices; and to all Manufacturing Inspection District and Satellite Offices.

3. DISCUSSION AND OVERVIEW.

a. The International Civil Aviation Organization (ICAO) lists a country's State of Design responsibilities under Annex 8 of the Convention on International Civil Aviation. As part of these responsibilities, the State of Design Authority issues an MCAI when it identifies an unsafe condition and corrective action. The authority must provide MCAI (including the referenced service information) to all other ICAO member states with an affected product on their registry.

b. When we, the FAA, receive an MCAI and referenced service information, we are obligated under ICAO Annex 8 to "... assess the information received and take appropriate action." As such, it's important that we take steps to improve the timeliness of issuing our ADs for imported products. In some instances, the information we receive from the State of Design is insufficient for the FAA to determine whether an FAA AD is appropriate. In other cases, all the information needed to make such a determination is provided by the State of Design. In still other cases, FAA staff can make the necessary determination based on additional information that the State of Design can quickly produce. Any delay in the time it takes us to issue ADs based on an MCAI may increase the safety risk to the public. This order describes a process that, where appropriate, will help us speed up drafting our ADs by:

(1) Directly quoting the text of the MCAI when preparing our AD,

(2) Reducing the differences between our AD and the MCAI or MCAI referenced service information, and

(3) Using standard information for cost estimates as explained in the *Economic Analyses* paragraph of this order.

c. The FAA has committed in bilateral agreements to adopt, address, or take action in response to MCAI, and will proactively communicate with each State of Design Authority regarding their MCAI. The Aviation Safety Engineer (ASE) might need to contact the State of Design Authority at any stage in the technical decision-making process, to:

(1) Gather additional information,

(2) Discuss potential differences between our AD and the MCAI, or

(3) Notify them of FAA technical concerns that might require unilateral AD action.

d. Figure 1 diagrams the entire MCAI-related AD process, from receiving the MCAI and referenced service information to drafting and issuing our AD. The number in each step corresponds to a paragraph in this order describing that step.

(1) All MCAI the FAA receives are recorded upon receipt, sent to the appropriate directorate, and monitored to completion through a MCAI national database (see paragraph 4).

(2) The ASE will continue to perform all necessary actions to complete technical decision-making for each MCAI received. This includes:

(a) Determining whether an unsafe condition exists and is likely to exist or develop in other products of the same type design, in accordance with the criteria of Title 14 of the Code of Federal Regulations (14 CFR) part 39; or, whether other action is necessary because the MCAI does not meet that criteria (see paragraph 5).

(b) Assessing the adequacy of corrective action(s) and compliance time(s) for resolving the unsafe condition, (see paragraph 6). Unilateral AD action may be necessary if the ASE determines that significantly different actions or times are required in order to adequately resolve the unsafe condition, or is unable to obtain adequate information or data from the State of Design Authority sufficient to complete the determinations described in paragraphs 5 and 6.

(c) Assessing whether the MCAI text sufficiently describes the unsafe condition and any corrective action for an operator to understand why an AD is needed and to be able to comply with any such AD, or whether the MCAI text must be supplemented with additional information (see paragraph 7).

(d) Deciding which, if any, FAA requirements and policies are appropriate to the AD (see paragraph 8).

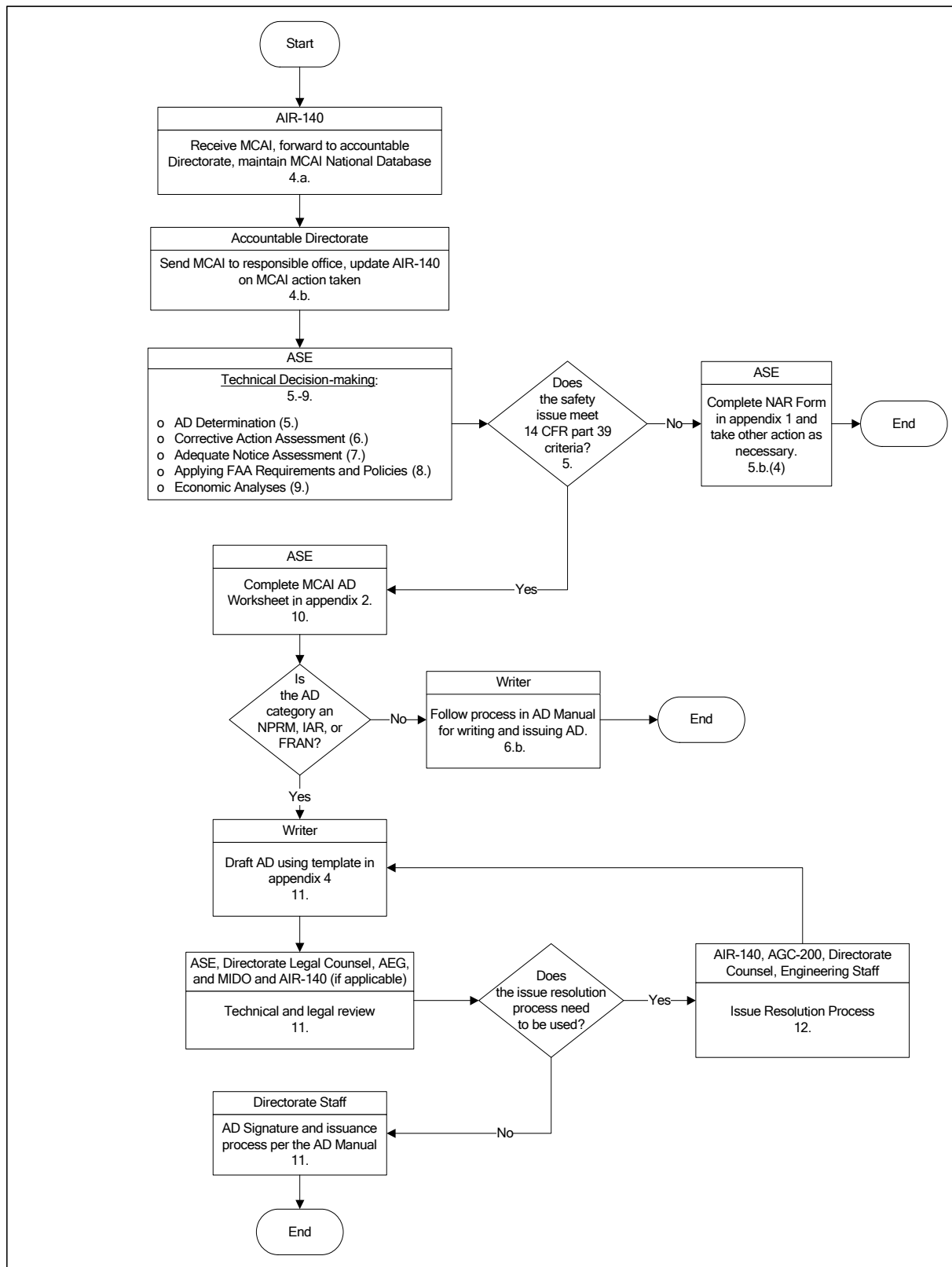
(e) Performing economic analyses for each AD (see paragraph 9).

(f) Documenting all technical decisions on a standard MCAI AD Worksheet (see paragraph 10).

(3) In order to assure uniformity among the different directorates and to reduce the time required to draft an AD after a decision has been made that an AD is necessary, all MCAI-related ADs will be written using templates with standard fixed language (see paragraph 11). All MCAI-related AD's will continue to adhere to the AD issuance process described in the AD Manual to meet legal, economic, and Federal Register requirements.

(4) In cases where legal and engineering personnel cannot resolve differences regarding AD content, an issue resolution process must be followed (see paragraph 12).

FIGURE 1. MCAI-RELATED AD PROCESS



4. RECEIVING AND TRACKING MCAI.

a. Receiving and Tracking MCAI. Our AD process begins when the State of Design Authority sends an MCAI and referenced service information to AIR-140, Delegation and Airworthiness Programs Branch. AIR-140 responsibilities include:

- (1) Serving as the office responsible for maintaining the MCAI national database,
- (2) Logging all MCAI into the MCAI national database for tracking. The database can be accessed by FAA personnel on a read-only basis (contact AIR-140 for access information).
- (3) Sending an electronic version of the MCAI and referenced service information to the accountable directorate within 2 working days, and
- (4) Issuing an MCAI status report and an MCAI open records report to each directorate focal point on the first working day of each month.

b. Responsibilities of the accountable directorate include:

- (1) Sending a copy of the MCAI and referenced service information to the responsible office.
- (2) Reviewing the monthly MCAI status and open records report from AIR-140. This verifies the accuracy of the national MCAI database.
- (3) Updating AIR-140 on any MCAI action taken since the previous report on the 15th of each month (or the next workday). The directorate informs AIR-140 about new technical decisions (including No AD Required (NAR)), approval dates, and any corrections or MCAI additions to the national database.
- (4) Completing action on 70 percent of all MCAI within 45 working days from the date the MCAI and referenced service information is received to the date of completion of the action. An action is complete upon signature of a notice of proposed rulemaking (NPRM), an AD issued as an immediately adopted rule (IAR), or a NAR. This metric allows for approximately 30 percent of MCAI that may take longer due to AD action requiring:
 - (a) Additional information to complete technical decision-making,
 - (b) Issue resolution,
 - (c) Unilateral AD action, or
 - (d) Other issues.
- (5) For FRAN ADs, completing final action on 90 percent of all MCAI within 45 working days from the date the NPRM comment period closed to signature of the FRAN or a termination of the rulemaking based on a determination that an AD is not warranted.

5. AD DETERMINATION.

a. In technical decision-making, the ASE is responsible for deciding whether the issue prompting an MCAI meets the FAA's criteria for an AD; and if so, which action(s) and compliance time(s) must be required to resolve the unsafe condition. Under 14 CFR part 39, the criteria for issuing an AD are that:

- An unsafe condition exists in the product; **and**
- The condition is likely to exist or develop in other products of the same type design.

If the ASE can't determine that the criteria are met for an AD, he should contact the State of Design Authority for more information. AIR-40 maintains a listing of contacts for State of Design Authorities. The State of Design Authority is the primary point of contact for any questions the ASE may have regarding MCAI-related technical decision-making. Or, with the concurrence of the State of Design Authority, the ASE may choose to contact the manufacturer directly. When contacting the State of Design Authority or manufacturer, the ASE should specify the specific data needed and the date for a response. We generally ask other airworthiness authorities to reply within 10 working days of the request. If a response is not received in the requested time, the ASE should elevate the situation to his management for determination on next steps.

(1) Determination of Unsafe Condition. For this technical decision-making step, the ASE should:

(a) Assess the MCAI and service information to determine if he concurs with the State of Design Authority that there is an unsafe condition. These documents are the starting point for technical decision-making. The ASE should assume that the State of Design Authority's determination of an unsafe condition is appropriate unless he has data to indicate otherwise, and continue his evaluation from that point. If the information submitted by the State of Design Authority is insufficient for the ASE to make a determination of an unsafe condition, he should still assume the validity of the State of Design Authority's determination, but should immediately contact the State of Design Authority to acquire additional data. Failure to receive sufficient data would not necessarily indicate that there is not an unsafe condition, but would warrant further investigation and data gathering so that the appropriate determination can be made.

NOTE: The inability to rely on the State of Design Authority's decisions could be an indicator of a more systemic problem with the continued airworthiness process for this product, and should be brought to the attention of the ASE's management and the International Policy Office, AIR-40.

(b) Rely on engineering judgment, based on available information and experience with the product.

(c) Acknowledge the risk assessment activity already performed by the State of Design Authority and manufacturer, which resulted in the State of Design's Authority's decision to issue an MCAI. As such, the ASE should not generally need to perform Directorate-specific risk assessment actions unless he cannot complete his technical decision-making without it.

(d) Be aware that another authority's criteria for issuing an MCAI may differ from ours because of technical or legal reasons, or because of differences between our two countries' aircraft certification systems. There will be cases where an AD is not warranted in response to an MCAI (see appendix 1 for some examples). The ASE should not draft an AD if he determines that the situation prompting the MCAI is not an unsafe condition. Instead, he must complete a NAR form for the MCAI (see appendix 1), and initiate other action as necessary, such as a special airworthiness information bulletin (SAIB).

(2) Determination of 'Likely to Exist or Develop'. If the ASE determines an unsafe condition *does* exist, he must next determine if it is likely to exist or develop on products of the same type design. An initial presumption is that the State of Design Authority has made such a determination. This presumption may be rebutted by a lack of data. The ASE should consider the following factors in his determination:

(a) The applicability statement in the MCAI is the State of Design Authority's description of the extent of the problem. Where the MCAI's applicability affects more than one article (serial number, part, etc), it documents the State of Design Authority's understanding that the unsafe condition could exist or develop on other products of the same type design.

(b) Unsafe conditions are likely to exist or develop on other products of the same type design for many reasons, such as design problems, operational errors, manufacturing non-conformities, or maintenance errors. It is not necessary to have positive proof and full understanding of the root cause in order to meet 14 CFR part 39 criteria to issue an AD. If the root cause is not known, the ASE can still complete this technical decision-making step. He should remain on the conservative side of safety in determining whether the unsafe condition is likely to exist or develop on other products of the same type design.

b. Some directorates may have working agreements that involve type clubs, operator forums, industry representative groups, etc. for help in assessing whether an airworthiness concern is a safety-related problem; and if so, what the appropriate corrective action(s) should be. For imported products where MCAI and service information have been issued, an ASE does not need to involve these groups to determine whether an unsafe condition exists.

c. If the ASE has determined that the criteria are met for an AD under 14 CFR part 39, he documents his decision in the MCAI AD worksheet (see appendix 2), and continues technical decision-making by assessing the adequacy of the corrective actions and compliance times.

6. CORRECTIVE ACTION ASSESSMENT.

a. The ASE is responsible for determining the adequacy of action(s) and compliance time(s) to resolve the unsafe condition. He should use his engineering judgment in this assessment, and should generally consider the MCAI's recommended action(s) and compliance time(s) to be adequate to resolve the unsafe condition unless data exists to indicate otherwise. See the AD Manual for additional guidance.

b. When identifying an appropriate compliance time, the ASE should select the AD category that corresponds to the compliance time in the MCAI. For example, if the MCAI specifies a 2-month compliance time, the ASE would select an IAR for our AD. He should use the corresponding AD category unless there is a technical concern with the compliance threshold given the urgency of the corrective action. AD categories provided for in this order are an NPRM with FRAN, and an IAR (i.e., a "final rule, request for comments"). For other categories of ADs, refer to the AD Manual.

c. Upon review of the corrective actions and compliance times in the MCAI, the ASE may determine that significantly different actions or times are required in order to adequately resolve the unsafe condition. Such a determination would require unilateral AD action if the technical concern cannot be resolved with the State of Design Authority as described in paragraph 6c(2) below. Some examples of technical concerns are:

- The compliance time must be substantially shorter to adequately resolve the unsafe condition (for example, action is required within 2 months instead of 18 months)
- The corrective action(s) must be revised significantly to adequately resolve the unsafe condition (for example, a modification instead of a placard).

(1) Under our bilateral agreements, the ASE is expected to notify the State of Design Authority about significant technical concerns. If the State of Design Authority concurs and revises the MCAI, or if the ASE is aware that the MCAI is being revised, he continues through the MCAI process, ensuring that the final AD action cites the correct version of the MCAI. Delays associated with MCAI revisions may result in not meeting the 45 day time frame discussed in paragraph 4b(4) of this order.

(2) If the ASE is unable to reach consensus with the State of Design Authority on significant technical concerns, he must elevate this situation to his management for consultation with the State of Design Authority's management. If unilateral AD action is required, the ASE must proceed using the MCAI AD process and worksheet described in this order. The MCAI AD worksheet for unilateral AD action must include an explanation and rationale for why the FAA has chosen to take corrective action independent from the State of Design Authority, and a specific discussion of FAA's differing actions. The AD template gives instructions on how to modify the AD for unilateral AD action.

d. Once the ASE has determined appropriate corrective actions and compliance times, he documents his decision in the worksheet and continues technical decision-making by assessing whether adequate notice requirements are met.

7. ADEQUATE NOTICE ASSESSMENT. The APA requires agencies to make available to the public the data the agencies used to develop the proposed rule. The data must be available in a form that allows for meaningful comment.

a. The ASE relies on the MCAI and referenced service information to form the engineering basis for our AD action. If the ASE can read and understand the unsafe condition and corrective action(s) stated in the MCAI sufficiently to make the necessary technical determinations discussed in paragraphs 5 and 6 of this order, then he can assume this same information from the MCAI can be used for adequate notice. The text contained in the MCAI will be re-stated in its entirety in the *Discussion and Related Service Information* sections of the preamble, as well as in the rule portion of our AD. The ASE is not required to obtain additional background information, such as events leading up to the MCAI, frequency of occurrence, root cause analysis, or other information solely to supplement the preamble discussion. The ASE must document his assessment of adequate notice by answering the appropriate question in the MCAI AD worksheet.

b. If the MCAI alone doesn't contain sufficient information (that is, unsafe condition and corrective action) to provide operators with adequate notice, the ASE must provide an additional explanation of the unsafe condition and/or corrective action on the MCAI AD worksheet as needed. He should use language from the referenced service information, if available. This technical description of the unsafe condition and corrective actions will be used to supplement the template's standard fixed language in the three sections of the AD described in the above paragraph.

c. If issuing an IAR, the ASE must provide a description of the urgency of the corrective action. The description should explain why the compliance threshold to correct the unsafe condition warrants the immediate adoption of the rule without prior notice and solicitation of comments. The description should be coordinated with legal counsel to ensure that it meets APA requirements. Use the language in the MCAI or referenced service information to augment the standard fixed language in the *FAA's Determination of the Effective Date* section of the IAR template. If such information is unavailable, the ASE may need to describe in his own words the factors that are driving the compliance time. Examples of descriptions of the need for an IAR are:

- This unsafe condition requires immediate adoption of this AD due to (*for example*: possible fire in the overhead panel of the flight compartment; fuel starvation to the engine; etc.).
- This unsafe condition requires immediate adoption of this AD due to fatigue cracking affecting the structural integrity of the aircraft. This assessment is based on the manufacturer's engineering analyses of the structural failure condition and flight hours (cycles) on the affected fleet.

d. Directorate legal counsels will continue to review the AD, deciding whether it contains enough information for adequate notice. When they don't believe the information provided is enough, legal and engineering staffs will work together to determine what information to add to the AD preamble. If both parties can't resolve a dispute, the staffs will use the MCAI issue-resolution process (see paragraph 11).

e. Once the ASE has assessed the information required for adequate notice, he updates the worksheet accordingly and continues technical decision-making by applying FAA requirements and policies.

8. APPLYING FAA REQUIREMENTS AND POLICIES. This section provides guidance to the ASE in applying FAA requirements and policies, in order to standardize our response to MCAI and improve our timeliness in issuing our ADs.

a. Enforceable Requirements. The FAA must invoke the following requirements on all ADs to ensure they are enforceable. Refer to the AD Manual for guidance on appropriate language to ensure enforceability. Changes due to these requirements are not intended to differ substantively from information in the MCAI and related service information.

(1) U.S. Applicability. The applicability must be unambiguous for U.S. products.

(2) Compliance Times. The rule portion of our AD must be clear for U.S. operators. The ASE may need to change the compliance times in the MCAI to make them unambiguous and enforceable in a court of law.

(3) Airworthiness Limitations Section (ALS) or Airplane/Rotorcraft Flight Manual (AFM/RFM) Changes. Sometimes the MCAI does not specify a change to the ALS of the Instructions for Continued Airworthiness (ICA) or the Limitations Section of the AFM/RFM. To be legally enforceable, our AD must require such a change.

b. Product-type Technical Actions. Some Directorates apply additional technical actions for their assigned product type(s). These actions may cause differences from the MCAI or referenced service information. Since it is necessary to allow for technical variations by product type, this paragraph of the order is not intended to replace a directorate's current technical guidance. Each directorate is responsible for developing and maintaining applicable guidance. When a requirement for such an action is applied, the decision must be documented in the MCAI AD worksheet. Some examples are listed below:

(1) Flight with Cracks. Sometimes corrective actions in an MCAI allow continued flight after cracks are detected in an inspection. For some product types, directorate technical guidance exists to determine appropriate follow-on actions if cracks are detected, including whether continued flight with unrepaired cracks is acceptable.

(2) Mandatory Terminating Action. The MCAI may describe repetitive inspections rather than a permanent corrective action, or it may leave a permanent correction optional. For

some product types, directorate technical guidance exists to determine whether permanent modifications should be made mandatory.

(3) Action for Part 91 Operators. Sometimes the MCAI does not contain certain actions (for example, follow-on repetitive inspections) because it is not necessary to specifically require them in the exporting country. For 14 CFR part 91 operators in the U.S., who are not required to have an approved maintenance program, the ASE might find it necessary to include specific technical actions in our AD in order to ensure operators accomplish them. If so, the ASE must document in the MCAI AD worksheet any such requirements to be included in paragraph (e) of the rule portion of our AD.

c. MCAI Equivalent Actions. Some Directorates have required certain actions in the past that created non-safety-related differences between MCAI and our ADs. For each action below, the past practice is described, and policy is defined for appropriate usage in all ADs. The policy is intended to result in equivalent actions between MCAI and our ADs unless we have a safety-related technical reason for specifying a difference. However, the policy does allow for the non-typical case where the ASE identifies a valid safety reason to invoke one of these actions. For each policy applied, the ASE must document his technical rationale on the MCAI AD worksheet and coordinate the decision with his manager and the manager of AIR-140. AIR-140 approval is required before the action can be used in the AD.

(1) Spares (or Parts Installation). In the past, some Directorates have required in ADs that if a part must be replaced for any reason before the AD's compliance threshold, only the new part that is required by the AD can be installed. This practice, which has been inconsistently applied, is overly restrictive and inconsistent with the determination that an unsafe condition needs to be corrected by a certain time. This past practice is replaced with the following policy:

- MCAI-related ADs will not require that parts be replaced with new parts before the compliance threshold of an AD. A product, including its installed parts, is airworthy until it exceeds the compliance threshold specified in the AD. If replacing the part before the compliance threshold is required for safety, the ASE must address this by shortening the compliance time to an acceptable level of safety.

(2) Contact the Manufacturer. An MCAI or referenced service information may require that the owner/operator contact the manufacturer or other source for instructions, such as a repair. In the past, some Directorates have required that the FAA be contacted instead. This practice is replaced with the following policy:

- MCAI-related ADs will not require that the FAA be contacted instead of the manufacturer or other source. All MCAI-related ADs now contain standard fixed language, titled *Airworthy Product*, which allows for use of actions provided by the manufacturer without the need to take specific differences. This language tells owner/operators that corrective actions from a manufacturer or other source may be used if they are FAA-approved. It also states that any actions approved by the State of Design Authority (or its delegated agent) are considered to be

FAA-approved. Lastly, the language reminds owner/operators of the existing requirement to assure the product is airworthy before it is returned to service.

(3) Return of Parts. An MCAI or referenced service information may call for the return of affected parts to the manufacturer. In some MCAI-related ADs, previous practice has been to specify that we do not require the return of parts to the manufacturer. This past practice is replaced with the following policy:

- MCAI-related ADs will not specify that parts are not required to be returned to the manufacturer. Specifying such a requirement doesn't benefit safety and increases the complexity of the AD.

(4) Replacement of Parts. An MCAI or referenced service information may call for the return of affected parts to the manufacturer or its authority. In some MCAI-related ADs, previous practice has been to specify that the affected part must be replaced with an airworthy or serviceable part. This practice is replaced with the following policy:

- MCAI-related ADs will not separately require that an affected part must be replaced with an airworthy or serviceable part. This specific requirement is not necessary because the *Airworthy Product* standard fixed language, discussed above, reminds owner/operators of FAA operating and maintenance rules that require them to assure the product is airworthy before it is returned to service.

(5) Reporting Requirement. An MCAI or referenced service information may require reporting of information to the manufacturer or it's State of Design Authority. In some MCAI-related ADs, previous practice has been to specify that this reporting is not required. This practice is replaced with the following policy:

- MCAI-related ADs will not specify that reporting is not required. Specifying such a requirement doesn't benefit safety, since the authority and/or manufacturer may need additional information about the unsafe condition, and it increases the complexity of the AD. To provide for reporting requirements and meet the Paperwork Reduction Act requirement, the templates now include standard fixed language in the rule portion of all MCAI-related ADs.

d. Once the ASE has applied FAA requirements and policies, he documents his decisions in the worksheet and continues technical decision-making by assessing economic impacts.

9. ECONOMIC ANALYSES.

a. Cost data for evaluating the economic impact can usually be found in the referenced service information, or the ASE may need to obtain an estimate. Cost data includes the number of affected products, total work hours to complete the corrective action(s), and cost of parts, if applicable.

b. Under the MCAI process, AD cost estimates must:

(1) Include any ‘on-condition’ costs (for example, part replacement dependent upon inspection results)

(2) Include the work hours for ‘remove and replace’ tasks in the total work hour estimate.

(3) Not include an estimate of consumable materials (oil or cleaning materials), and

(4) Not include the cost of parts when the manufacturer provides parts free or at reduced cost for warranty reasons (the templates contain standard fixed language to address warranty costs).

c. If the ASE is unable to obtain timely cost estimates using the MCAI information request form (see appendix 3), he should provide an engineering estimate for the cost of actions required by the AD. This will allow the AD to be issued in a timely manner while still supporting the need to estimate costs as part of the rulemaking process. The following are some estimates that may be used for the cost of required actions. Workhours are to be multiplied by the current labor rate. These numbers may be high in some areas; this is done to ensure a positive margin for the cost estimates and avoid providing estimates that are too low to cover the required actions. The ASE should change these estimates, as needed, if a cost estimate seems too low or too high based on engineering knowledge of the required work to be done.

- Visual inspection: 3 work hours
- Other type of inspection: 10 work hours
- Aircraft Flight Manual or other document revision: 1 work hour
- Structural repairs: 15 work hours
- Part replacement: 12 work hours
- Part replacement cost, non-avionics parts: \$10,000
- Part replacement cost, avionics parts: \$30,000

d. **Impact Assessments.** The ASE should refer to the AD Manual to complete item 10 of the MCAI AD worksheet. These impact assessment questions are in all MCAI AD worksheets, and must be addressed to meet the requirements of APA and certain Executive Orders governing rulemaking.

e. Once the ASE has completed the economic analyses, he completes the worksheet.

10. MCAI AD WORKSHEET. The ASE must document all technical decisions supporting the AD action in the MCAI AD worksheet (see appendix 2). Many of the worksheet items are completed using MCAI text and can be easily copied into the worksheet from the electronic version sent by AIR-140. The ASE should refer to the AD Manual for guidance on completing any worksheet item not specifically addressed in this order.

a. The ASE is responsible for collecting all information to complete the MCAI AD worksheet for drafting the AD. If all the information needed for the worksheet is not in the MCAI or referenced service information, he must get the missing information from the manufacturer, the State of Design Authority, or other source.

b. The amount of information needed to complete the MCAI AD worksheet is reduced from some Directorates' past practices. The worksheet only requires documentation of necessary information to complete technical decision-making, rather than obtaining additional information to supplement the discussion in the AD preamble. Unless the following items are needed to complete technical decision-making, the ASE does not need to obtain them:

(1) **Root cause analyses.** Although understanding the root cause can provide proof that the safety issue will exist on other products, it is not necessary to prove that the unsafe condition will exist or develop on other products of the same type design. The 14 CFR part 39 criteria is met when the ASE makes a determination that the condition is likely to exist or develop on other products.

(2) **Background and history of the safety issue, and/or events leading up to the occurrence.** In the past this background information has been required to supplement preamble discussions. However, since we are using the information in the MCAI and related service information in AD preambles, obtaining historical information for this purpose is not necessary.

(3) **Risk assessment data.** The State of Design Authority has issued their MCAI as a result of risk assessments they or the manufacturer have performed. As discussed in paragraph 5a(1)(c) of this order, the ASE should rely on the work of the State of Design Authority and therefore does not need the detailed risk assessment data.

c. **Signatures.** The MCAI AD worksheet must be signed by all appropriate parties. Signatures can be accomplished by actual signature, by initialing the hard copy, or by providing electronic concurrence with the worksheet. The worksheet is complete when the following personnel sign it:

- (1) The ASE,
- (2) The ASE's manager or person acting on the manager's behalf,
- (3) The AIR-140 manager, if necessary (see paragraph 8c)
- (4) The Aircraft Evaluation Group (AEG) focal (except for appliances).

11. WRITING AND PUBLISHING THE AD.

a. All AD actions issued as a NPRM, IAR, or FRAN will be written using the templates in appendix 4. Anyone proposing a change to the standard fixed language in these templates must request the change through the Airworthiness Directive Action Program Team (ADAPT) and the AIR-140 manager. Except for legally required changes, the AIR-140 manager must approve any

proposed change prior to its use, including any request for supplemental text (e.g., ‘Interim Action’). Legal requirements are standard fixed language in the template, and will be revised only upon FAA legal counsels’ approval.

b. The writer uses the MCAI AD Worksheet to obtain the information necessary to draft the AD. The worksheet will either quote or refer to MCAI text to be copied directly, or will provide additional text to be used in the AD. Contact the ASE to obtain an electronic copy of the MCAI and/or worksheet as needed. Copy the MCAI text and the worksheet text, as applicable, into the preamble and rule portions of the AD. Since the AD contains text copied directly from the MCAI, it might not fully agree with our plain language principles. Use MCAI text without editing so we can issue our AD quickly.

c. The following subparagraphs describe sections of the AD Preamble where applicable to the template (see appendix 4):

(1) Summary. This section of the AD is standard fixed language, except for the brief description of the unsafe condition. It states that the proposed AD is a result of an MCAI issued by a State of Design Authority.

(2) Dates. For any MCAI-related AD on which we request comments, we give 30 days to comment, since information about the unsafe condition and corrective actions has already been published and distributed via the MCAI and referenced service information.

(3) Supplementary Information. This part of the AD is standard fixed language, with the inclusion of references to the MCAI and manufacturer’s service information (see MCAI AD worksheet item 1). This AD section includes a link to the docket management system (DMS) Web site, <http://dms.dot.gov>, where we post MCAI.

(4) Discussion. In addition to standard fixed language, this AD section also includes the text from the *Reason* paragraph in the rule portion of the AD (see paragraph 11d (1) below and MCAI AD worksheet item 5).

(5) Relevant Service Information. This section of the AD is standard fixed language with appropriate service information references added.

(6) Differences between the (Proposed) AD and the MCAI or Service Information. This section of the AD is standard fixed language (except when unilateral AD action is required). It addresses any differences without the need for specific language in the AD. For unilateral AD action, delete the standard fixed language from this section of the AD. Use MCAI AD worksheet item 4 to insert an explanation and rationale for why the FAA has chosen to take corrective action independent from the State of Design Authority, as well as a specific description of each difference from the MCAI.

(7) Costs of Compliance. This AD section is standard fixed language but should be modified based on applicable costs. Insert the number of affected products, total work hours (including any on-condition costs), and cost of parts, if applicable, for each product (see MCAI

AD worksheet item 8). Remove any text associated with parts if not applicable, including the statement regarding warranties.

(8) FAA's Determination of the Effective Date. For the IAR template only, the standard fixed language remains, and the writer must include a brief description of the urgency of the corrective action (see MCAI AD worksheet item 7).

d. The following subparagraphs describe how to complete the sections of the rule portion of the AD. The writer may need to reorganize the information copied from the MCAI and/or MCAI AD worksheet slightly to conform to the fixed headings in the AD template.

(1) Reason. Copy information about the unsafe condition and actions directly from the MCAI text, usually found under a header called 'Reason', 'Purpose', or 'Background'. Add any additional information from the MCAI AD worksheet (see worksheet item 5) to supplement the MCAI text in order to meet FAA's requirement to provide adequate notice. The text from the *Reason* paragraph contains, at a minimum, a description of the unsafe condition and summary of corrective actions. It may contain other information as quoted from the text of the MCAI.

(2) Applicability, Actions and Compliance. Copy information from the MCAI for applicability, actions, and compliance, and address unilateral AD action requirements if necessary (see MCAI AD worksheet items 4 and 6).

(a) Note that some text from the MCAI may have been revised in the worksheet in order to ensure clear and enforceable language in the applicability and compliance times (see MCAI AD worksheet item 6a).

(b) If a change to the ALS of the ICA or the limitations section of the AFM/RFM is necessary in order to ensure enforceability (see MCAI AD worksheet item 6a), insert this requirement into paragraph (e), *Actions and Compliance*, of the rule portion of the AD. Do not identify these changes as differences in the section *FAA AD Differences* on the template.

(c) For unilateral ADs, place all actions/times in paragraph (e) of the rule portion of the AD, and delete the heading, *FAA AD Differences*, and NOTE information following.

(3) FAA AD Differences. Include any difference from the MCAI as identified in the MCAI AD worksheet (see worksheet items 6b and 6c). These differences from the MCAI will be described and highlighted in a separate NOTE of the AD, using standard fixed language from appendix 5. AIR-140 management approval is required before any action in MCAI AD worksheet item 6c is applied as a difference.

(4) Other FAA Provisions. Some sub-paragraphs of this AD section are standard fixed language. However, the writer should remove the Flight Permits paragraph unless the ASE has noted the need for it (see MCAI AD worksheet item 10). Other sub-paragraphs must be retained or removed depending on whether the ASE has applied certain policies that create differences from the MCAI. See appendix 5 for guidance.

e. When the draft is completed, and has been reviewed by the ASE, it is circulated via grid routing for final technical and legal review of the AD. See the AD Manual for more procedures on review and sign-off of the AD. The AD is ready for signature once the following personnel have reviewed and initialed the grid:

- The ASE,
- The ASE's manager or person acting on the manager's behalf,
- Manufacturing Inspection District Office (MIDO) (as applicable),
- AEG, and
- Directorate legal counsel.

f. See the AD Manual for guidance on issuing and publishing ADs in the Federal Register.

12. RESOLVING ISSUES.

a. If engineering or legal personnel disagree on any issue related to this order, the concerned office discusses the issue with the other office, explaining their concern, position, and proposed solution. If either party wishes, the Directorate's engineering branch and/or standard staff manager(s) may participate in the discussion.

b. After these discussions, if there is still disagreement, Directorate counsel will brief the Assistant Chief Counsel for Regulations (AGC-200), and the engineering staff will brief their management as appropriate, and the AIR-140 manager.

c. Based upon staff input, a determination will be made as to the matter in dispute. AIR-140 will coordinate resolution of issues with engineering and AGC management, as needed.

d. These steps should be completed within 10 working days after an issue has been raised.

13. RELATED FEDERAL REGULATIONS AND PUBLICATIONS.

- a. Title 14 CFR § 21.29
- b. Title 14 CFR part 39
- c. FAA Order 8040.1, Airworthiness Directives
- d. FAA Manual FAA-AIR-M-8040.1, Airworthiness Directives Manual

14. BACKGROUND.

a. FAA issues approvals for products approved in other countries. To issue these approvals, the United States must have negotiated a bilateral agreement for the reciprocal acceptance of airworthiness approvals with the State of Design/State of Manufacture Authority for the product.

b. A primary principle of a bilateral agreement with regard to MCAI is to rely as much as possible on the State of Design Authority's technical review and identification of corrective action, and accept their decisions as if we made them. Similarly, other countries rely on our risk assessment and management decision-making for products approved in the United States.

c. The State of Design Authority should issue an MCAI when they identify an unsafe condition and corrective action. The State of Design Authority relies on the product manufacturer's detailed technical knowledge when issuing an MCAI. MCAI and referenced service information are internationally disseminated technical documents intended to describe identified unsafe conditions and corrective actions. Under ICAO Annex 8, the term MCAI includes "mandatory requirements for modification, replacement of parts or inspection of aircraft and amendment of operating limitations and procedures." Because an MCAI is mandatory in the State of Design, it may serve as technical information to support our actions to maintain continued operational safety.

15. REQUEST FOR INFORMATION. You can get more information or ask questions about this order, at the Aircraft Certification Service, Aircraft Engineering Division, Delegation and Airworthiness Programs Branch (AIR-140), telephone (405) 954-4103.

16. RECORDS MANAGEMENT. Refer to Orders 0000.1, FAA Standard Subject Classification System; 1350.14, Records Management; and 1350.15, Records Organization, Transfer, and Destruction Standards; or your office Records Management Officer (RMO)/Directives Management Officer (DMO) for guidance regarding retention or disposition of records.

John. J. Hickey
Director, Aircraft Certification Service, AIR-1

James W. Whitlow
Deputy Chief Counsel, Policy and Adjudication, AGC-2

APPENDIX 1. NO AIRWORTHINESS DIRECTIVE REQUIRED (NAR)**NAR Form**

This NAR form documents the decision, with rationale, for no corresponding FAA airworthiness directive (AD) to address a State of Design Authority's mandatory continuing airworthiness information (MCAI).

MCAI/Revision No. /Date (Attach Copy):

Aircraft Manufacturer/Model:

Service Bulletin/Revision No. /Date (Attach Copy):

Service Difficulty Subject:

Justification for NAR:

Technical Review/Concurrence on NAR

Engineer: _____ Date: _____

Manager: _____ Date: _____

Project Officer, Directorate (as applicable): _____ Date: _____

Other (as applicable): _____ Date: _____

ACO Control Number:

Directorate Control Number:

APPENDIX 1. NAR (CONTINUED)

NAR Guidance

A NAR must be issued any time we, the FAA, decide not to take AD action in direct response to an MCAI. Completion of the NAR serves as FAA's documentation that we have assessed the MCAI and made this determination. There are various reasons why we might decide that an AD is not warranted.

a. Technical. Following are some examples of technical reasons for not writing an MCAI-related AD in response to an MCAI.

- Product improvements with no safety impact,
- Maintenance items unrelated to an unsafe condition,
- Operational anomaly (e.g., the way the aircraft is flown, such as for firefighting, crop-dusting, etc.), and
- Unique operating environment or special situations in another country (e.g., very cold or very hot conditions).

b. Non-Technical. Some non-technical reasons for a NAR include:

- Minor editorial changes (editing or typographical corrections in an earlier MCAI).
- Revisions to earlier MCAI for which we already have initiated AD action. Examples include changes to applicability, service information reference or revision level, etc. The ASE should correct the information in the AD worksheet to correspond to the corrected version of the MCAI, and NAR the version of the MCAI now replaced.

APPENDIX 2. FAA MCAI AD WORKSHEET

Docket #

Office File #

Proposed Action

	Notice of Proposed Rulemaking
	Immediately Adopted Rule (IAR)
	Final Rule after NPRM
	Other _____

[Attach response to comments on separate sheet]

Part 39 Requirements. An unsafe condition exists in the referenced product(s), and the existing unsafe condition is likely to exist or develop in products of this same type design.

The signatures on this Worksheet document the signers' determination that 14 CFR Part 39 criteria are met as described above and an AD is required to address the unsafe condition.

1. Reference Information.

1a. List the MCAI (FCAA AD No./Revision/Date):

1b. List the related service information number(s), Revision, and Date:

1c. List any other published FAA ADs related to this unsafe condition:

2. Products Affected. Identify affected manufacturer and model (only if different from the MCAI applicability for US-certificated products) as listed on TCDS; or serial numbers or references, installations, part numbers, as applicable

3. Project Engineer.

Name/Title/Branch:	
Telephone:	
Fax:	

4. Corrective Action Assessment. Are the actions and compliance times required in the MCAI adequate to resolve the unsafe condition?

	Yes		No
--	-----	--	----

If not, Unilateral AD action may be necessary. If all criteria for Unilateral AD Action are met (See Order 8040.2), insert rationale for differing corrective actions and/or compliance times, and specify the FAA-required actions/times:

APPENDIX 2. FAA MCAI AD WORKSHEET (CONTINUED)

5. **Adequate Notice Assessment.** Does the MCAI text describe the unsafe condition and corrective action with sufficient detail and clarity that it can be used in the FAA AD to provide adequate notice?

	Yes		No
--	-----	--	----

If no, provide text to augment the MCAI description of unsafe condition and required actions (Copy text from service information where possible).

6. FAA Requirements and Policies

6a. **Clear and Enforceable Requirements.** Are changes from the MCAI requirements necessary to ensure enforceability for US-certificated products? Check each box that applies, and describe the appropriate text to be used in the AD.

	Compliance Time(s)		Limitation section of AFM/RFM		ALS of the ICA
--	--------------------	--	-------------------------------	--	----------------

6b. **Product-Type Technical Actions.** Are there product-type technical actions to be applied to the FAA AD that differ from the MCAI or service information? Check each box that applies, or describe other difference(s) to be specified in AD:

	Flight with Cracks		Mandatory Terminating Action		Other:
--	--------------------	--	------------------------------	--	--------

6c. **MCAI Equivalent Actions.** The following differences should only be applied for safety-related technical reasons specific to this unsafe condition or required actions (see FAA Order 8040.2, Para. 8.c). Check each box that applies where a difference from the MCAI is necessary and document rationale for use. **AIR-140 Manager approval is required for use.**

	Contact the Manufacturer		Return of Parts		Replacement of Parts
	Spares (Parts installation)		Reporting Requirement		Other? Explain

APPENDIX 2. FAA MCAI AD WORKSHEET (CONTINUED)

7. IAR Good Cause. For "Immediately Adopted Rule" (IAR) ADs only: Provide a brief description of the urgency of the corrective action to support a finding of "good cause" (Use text from MCAI or service information where possible).

8. Costs

8a. Number of U.S. products that will be affected (*Use numerical figures*):

8b. Provide number of total work hours per product, summing all corrective actions (inspection, modification, on-condition repair, etc.). Provide cost of parts, if applicable. Or, provide reference to information in the SB.

Total Work hours per product:	Parts Cost per Product:
-------------------------------	-------------------------

9. **Contacts.** With whom outside the FAA has this proposal been discussed?

Organization	Person Contacted	Date	Response

10. **Ferry Permit.** Should a ferry flight permit be:

Permitted:		Permitted with Limitations (list on separate sheet)		Prohibited:	
------------	--	---	--	-------------	--

11. **Impact Assessments.** Please answer the following questions:

- | | | |
|--|-----------|----------|
| a. Is this AD considered 'significant' under DOT Regulatory Policies and Procedures (44 FR 11034, 02/26/79) or Executive Order 12866? | _____ Yes | _____ No |
| b. Will this AD have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act? | _____ Yes | _____ No |
| c. Will this AD have federalism implications under Executive Order 13132? | _____ Yes | _____ No |
| d. Will this AD have international trade implications? | _____ Yes | _____ No |
| e. Will this AD have any negative impact on the environment? | _____ Yes | _____ No |
| f. Will this AD have any negative impact on energy? | _____ Yes | _____ No |

APPENDIX 2. FAA MCAI AD WORKSHEET (CONTINUED)

Signatures.

Project Engineer: _____ Date: _____

Manager: _____ Date: _____

AIR-140 Manager (if applicable): _____ Date: _____

AEG Representative (except for appliances): _____ Date: _____

APPENDIX 3. MCAI INFORMATION REQUEST FORM

To: {Insert State of Design Authority Name/contact} (Or, you may contact the Manufacturer directly if the State of Design Authority concurs)

Manufacturer/Model:

AD No./Date:

Service Bulletin/Revision No./Date:

In support of the FAA's actions to address your country's mandatory continuing airworthiness information (MCAI) in the United States, please provide the information below by **[insert date]**:

- ☐ We don't have the bulletin – please send to:

- ☐ Unsafe Condition. We request additional information about the unsafe condition, in addition to what is included in the MCAI and/or service information, in order for the FAA to concur that this is an unsafe condition under our 14 CFR part 39 requirements.

- ☐ Corrective Action. We request any additional information you can provide about
 - a. what the corrective action is,
 - b. how it is to be accomplished, -- OR --
 - c. when the action is to be accomplished (compliance times)

- ☐ Costs. We request your estimate for the following:
 - a. Cost of parts, if applicable
 - b. Total work hours required for corrective actions per product (aircraft, engine, etc.)
 - c. Cost of on-condition action (i.e., repair/replacement if necessary following inspection).

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS
FIGURE 1. NOTICE OF PROPOSED RULEMAKING (NPRM) TEMPLATE

[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-200*-***; Directorate Identifier 200*-[Regional Identifier]-**-AD]**

RIN 2120-AA64

Airworthiness Directives; **

AGENCY: Federal Aviation Administration (FAA), 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) issued 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 [XX – Insert unsafe condition portion of the text from ‘Reason’ paragraph]. 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 [insert date 30 days after date of publication in the FEDERAL REGISTER].

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

- DOT Docket Web Site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.
- Fax: (202) 493-2251.
- Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.
- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://dms.dot.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) 647-5227) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: **, Aerospace Engineer, [address; telephone **; fax **].

SUPPLEMENTARY INFORMATION:

Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)**FIGURE 1. NPRM TEMPLATE (CONTINUED)**

FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and *Federal Register* requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This proposed AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The proposed AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

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-200*-*****; Directorate Identifier 200*-[Regional Identifier]-**-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 based on those comments.

We will post all comments we receive, without change, to <http://dms.dot.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 [XX], which is the aviation authority for [XX], has issued [XX] Airworthiness Directive [XX], dated [XX] (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states that [XX – Insert text from ‘Reason’ paragraph]. You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

** has issued Service Bulletin **, dated **. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA’s Determination and Requirements of This 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 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.

Differences Between This AD and the MCAI or Service Information

[For unilateral AD action, delete the standard language from this paragraph, and give an explanation and rationale for why the FAA has chosen to take corrective action independent from the State of Design Authority. Insert specific description of each difference from the MCAI]. 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.

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)**FIGURE 1. NPRM TEMPLATE (CONTINUED)**

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 described in a separate paragraph of the proposed AD. These requirements, if ultimately adopted, will take precedence over the actions copied from the MCAI.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about [XX] products of U.S. registry. We also estimate that it would take about [XX] work-hours per product to comply with this proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$[XX] per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. *[IF no parts, delete prior 3 sentences]* Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$[fleet cost], or \$[per product cost] per product.

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, Safety.

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)

FIGURE 1. NPRM TEMPLATE (CONTINUED)

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:

**** [INSERT CERTIFICATE HOLDER NAME IN ALL CAPS]:** Docket No. FAA-200*-*****; Directorate Identifier 200*-[Regional Identifier]-**-AD.

Comments Due Date

(a) We must receive your comments by [insert date 30 days after date of publication in the FEDERAL REGISTER].

Affected ADs

(b) ** [or None].

Applicability

(c) This AD applies to ** [PRODUCTS CERTIFICATED IN CATEGORIES MAY USE THE FOLLOWING: certificated in any category].

Reason

(d) [XX –Copy from MCAI and/or service information: Must contain unsafe condition and high-level action].

Actions and Compliance

(e) [Insert compliance time] Unless already done, do the following actions.

(1) [XX-Copy from MCAI and modify to include FAA requirements per FAA Order 8040.2 paragraphs 8.b and 8.c that differ from the MCAI or service information]

(2) [XX-Copy from MCAI and modify to include FAA requirements per FAA Order 8040.2 paragraphs 8.b and 8.c that differ from the MCAI or service information]

[For unilateral ADs, place all FAA actions/times in paragraph (e) and delete the heading and NOTE below]

FAA AD Differences

NOTE: This AD differs from the MCAI and/or service information as follows:

(1) [XX-Insert differences from Appendix 5 for any product-type action or MCAI equivalent action]

(2) [XX-Insert differences from Appendix 5 for any product-type action or MCAI equivalent action]

Other FAA AD Provisions

(f) The following provisions also apply to this AD:

(1) **Alternative Methods of Compliance (AMOCs):** The Manager, **, FAA, ATTN: ** has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. [OPTIONAL: Add Directorate specific AMOC information here.]

(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

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)**FIGURE 1. NPRM TEMPLATE (CONTINUED)**

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, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

[(**) **Special Flight Permits:** [INCLUDE THIS PARAGRAPH ONLY IF THERE ARE LIMITATIONS TO SPECIAL FLIGHT PERMITS OR IF WE WILL NOT ISSUE A SPECIAL FLIGHT PERMIT. We are **.]].

Related Information

(g) Refer to MCAI [XX] Airworthiness Directive [XX], dated [XX], and [XX] Service Bulletin **, dated **, for related information.

Issued in [City, State], on [date]

[name of signer],
[Title],
** Directorate,
[office].

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS, CONTINUED

FIGURE 2. IMMEDIATELY ADOPTED RULE (IAR) TEMPLATE

[4910-13-P]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-200*-*****; Directorate Identifier 200*-[Regional Identifier]-**-AD; Amendment 39-**-AD **]

RIN 2120-AA64

Airworthiness Directives; **

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

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued 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 [XX – Insert unsafe condition portion of the text from ‘Reason’ paragraph]. This AD requires actions that are intended to address the unsafe condition described in the MCAI.

DATES: This AD becomes effective [insert date ** days after date of publication in the FEDERAL REGISTER].

[Remove if no IBR] The Director of the Federal Register approved the incorporation by reference of ** listed in this AD as of [insert date ** days after date of publication in the FEDERAL REGISTER].

[For previously approved IBRs] The Director of the Federal Register approved the incorporation by reference of ** listed in this AD as of [old effective date of the previously approved IBRs] (**FR**, **).

We must receive comments on this AD by [insert date ** days after date of publication in the FEDERAL REGISTER].

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

- DOT Docket Web Site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- Fax: (202) 493-2251.

- Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://dms.dot.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

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)**FIGURE 2. IAR TEMPLATE (CONTINUED)**

received, and other information. The street address for the Docket Office (telephone (800) 647-5227) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: **, Aerospace Engineer, [address; telephone **; fax **].

SUPPLEMENTARY INFORMATION:**Streamlined Issuance of AD**

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and *Federal Register* requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

Discussion

The [XX], which is the aviation authority for [XX], has issued [XX] Airworthiness Directive [XX], dated [XX] (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states that [XX – Insert text from ‘Reason’ paragraph]. You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

** has issued Service Bulletin **, dated **. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

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, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all the 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.

Differences Between the AD and the MCAI or Service Information

[For unilateral AD action, delete the standard language from this paragraph, and give an explanation and rationale for why the FAA has chosen to take corrective action independent from the State of Design Authority. Insert specific description of each difference from the MCAI]. 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.

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)

FIGURE 2. IAR TEMPLATE (CONTINUED)

We might also have required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are described in a separate paragraph of the AD. These requirements take precedence over the actions copied from the MCAI.

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 *[XX- Insert description of urgency of corrective action per worksheet item 7]*. Therefore, we determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists for making this amendment effective in fewer than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-200*-*****; Directorate Identifier 200*-[Regional Identifier]-**-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this AD.

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 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 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.

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)

FIGURE 2. IAR TEMPLATE (CONTINUED)

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference [Remove if no IBR], 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 AD:

**** ** [INSERT CERTIFICATE HOLDER NAME IN ALL CAPS]:** Docket No. FAA-200*-*****; Directorate Identifier 200*-[Regional Identifier]-**-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective [insert date ** days after date of publication in the FEDERAL REGISTER].

Affected ADs

(b) ** [or None].

Applicability

(c) This AD applies to ** [PRODUCTS CERTIFICATED IN CATEGORIES MAY USE THE FOLLOWING: certificated in any category].

Reason

(d) [XX –Copy from MCAI and/or service information: Must contain unsafe condition and high-level action].

Actions and Compliance

(e) [Insert compliance time] Unless already done, do the following actions.

(1) [XX-Copy from MCAI and modify to include FAA requirements per FAA Order 8040.2 paragraphs 8.b and 8.c that differ from the MCAI or service information]

(2) [XX-Copy from MCAI and modify to include FAA requirements per FAA Order 8040.2 paragraphs 8.b and 8.c that differ from the MCAI or service information]

[For unilateral ADs, place all FAA actions/times in paragraph (e) and delete the heading and NOTE below]

FAA AD Differences

NOTE: This AD differs from the MCAI and/or service information as follows:

(1) [XX-Insert differences from Appendix 5 for any product-type action or MCAI equivalent action]

(2) [XX-Insert differences from Appendix 5 for any product-type action or MCAI equivalent action]

Other FAA AD Provisions

(f) The following provisions also apply to this AD:

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)

FIGURE 2. IAR TEMPLATE (CONTINUED)

(1) **Alternative Methods of Compliance (AMOCs):** The Manager, **, FAA, ATTN: ** has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. [OPTIONAL: *Add Directorate specific AMOC information here.*]

(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, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

[(**) **Special Flight Permits:** [INCLUDE THIS PARAGRAPH ONLY IF THERE ARE LIMITATIONS TO SPECIAL FLIGHT PERMITS OR IF WE WILL NOT ISSUE A SPECIAL FLIGHT PERMIT. We are **.]].

Related Information

(g) Refer to MCAI [XX] Airworthiness Directive [XX], dated [XX], and [XX] Service Bulletin **, dated **, for related information.

Material Incorporated by Reference

[The following are examples. An individual AD action may require a combination of these examples. You must use the language provided.]

EXAMPLE 1 (WITH PREVIOUS IBR):

(**) You must use ** to do the actions required by this AD, unless the AD specifies otherwise.

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

(2) The Director of the Federal Register previously approved the incorporation by reference of ** on *[old effective date of the previously approved IBRs]* (** FR **, **).

(3) For service information identified in this AD, contact [MANUFACTURER AND ADDRESS].

(4) You may review copies at the FAA, **; or 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/code_of_federal_regulations/ibr_locations.html.

EXAMPLE 2 (WITHOUT PREVIOUS IBR):

(**) You must use the service information specified in Table ** of this AD to do the actions required by this AD, unless the AD specifies otherwise.

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

(2) For service information identified in this AD, contact [MANUFACTURER AND ADDRESS].

(3) You may review copies at the FAA, **; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)**FIGURE 2. IAR TEMPLATE (CONTINUED)**

741-6030, or go to:

http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

EXAMPLE: Table ** – Material Incorporated by Reference

Service Bulletin No.	Page	Revision	Date

EXAMPLE 3 (WITHOUT PREVIOUS IBR):

(**) You must use ** to do the actions required by this AD, unless the AD specifies otherwise.

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

(2) For service information identified in this AD, contact [MANUFACTURER AND ADDRESS].

(3) You may review copies at the FAA, **; or 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/code_of_federal_regulations/ibr_locations.html.

EXAMPLE 4:

(**) None.]

Issued in [City, State], on [date]

[name of signer],

[Title],

** Directorate,

[office].

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)

FIGURE 3. FRAN TEMPLATE (CONTINUED)

[4910-13-P]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-200*-*****; Directorate Identifier 200*-[Regional Identifier]-**-AD; Amendment 39-**-AD **]

RIN 2120-AA64

Airworthiness Directives; **

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued 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 [XX – Insert unsafe condition portion of the text from ‘Reason’ paragraph]. We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective [insert date 35 days after date of publication in the FEDERAL REGISTER].

[Remove the following if no IBR] The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of [insert date 35 days after date of publication in the FEDERAL REGISTER].

[For previously approved IBRs] The Director of the Federal Register approved the incorporation by reference of ** listed in this AD as of *[old effective date of the previously approved IBRs]* (**FR**, **).

ADDRESSES: You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, Room PL-401, Washington, DC.

FOR FURTHER INFORMATION CONTACT: **, Aerospace Engineer, [address; telephone **; fax **].

SUPPLEMENTARY INFORMATION:

Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and *Federal Register* requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

Discussion

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)

FIGURE 3. FRAN TEMPLATE (CONTINUED)

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the *Federal Register* on ** (** FR **). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states that ** [XX – Insert text from ‘Reason’ paragraph]

*****[If no comments were received, use the following:]

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 available data and determined that air safety and the public interest require adopting the AD as proposed.

[If only supportive comments were received, use the following:]

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comment[s] received. [The commenter[s] support[s] the NPRM.]

Conclusion

We reviewed the available data, including the comment[s] received, and determined that air safety and the public interest require adopting the AD as proposed.

*****[Use the following to address comments that require disposition but result in changes to the preamble only (i.e., no changes to the body of the AD):]

Comments

We gave the public the opportunity to participate in developing this AD. We have considered the comment[s] received.

[Address the comment(s).]

Conclusion

We reviewed the available data, including the comment[s] received, and determined that air safety and the public interest require adopting the AD as proposed.

[Use the following to address comments that require disposition and result in changes to the body:]

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comment[s] received.

[Address the comment(s).]

Conclusion

We reviewed the available data, including the comment[s] received, and determined that air safety and the public interest require adopting the AD with the changes described previously. We determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)

FIGURE 3. FRAN TEMPLATE (CONTINUED)

Differences Between this 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 required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are described in a separate paragraph of the AD, and take precedence over the actions copied from the MCAI.

Costs of Compliance

We estimate that this AD will affect [number] ** of U.S. registry. We also estimate that it will take about ** work-hours per product to comply with this AD. The average labor rate is \$80 per work-hour. Required parts will cost about [cost of parts] per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. *[IF no parts, delete prior 3 sentences]* Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$[fleet cost] or \$[per product cost] per product.

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 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 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 AD and placed it in the AD Docket.

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)

FIGURE 3. FRAN TEMPLATE (CONTINUED)

Examining the AD Docket

You may examine the AD docket on the Internet at <http://dms.dot.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 the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5227) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference *[remove if no IBR]*, 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 AD:

**** ** [INSERT CERTIFICATE HOLDER NAME IN ALL CAPS]:** Docket No. FAA-200*-*****; Directorate Identifier 200*-[Regional Identifier]-**-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective [insert date 35 days after date of publication in the FEDERAL REGISTER].

Affected ADs

(b) None.

[Copy/paste NPRM body here and incorporate necessary changes.]

Material Incorporated by Reference

[The following are examples. An individual AD action may require a combination of these examples. You must use the language provided.]

EXAMPLE 1 (WITH PREVIOUS IBR):

(**) You must use ** to do the actions required by this AD, unless the AD specifies otherwise.

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

(2) The Director of the Federal Register previously approved the incorporation by reference of ** on *[old effective date of the previously approved IBRs]* (** FR **, **).

(3) For service information identified in this AD, contact [MANUFACTURER AND ADDRESS].

(4) You may review copies at the FAA, **; or 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/code_of_federal_regulations/ibr_locations.html.

APPENDIX 4. SAMPLE OF FEDERAL REGISTER PUBLICATIONS (CONTINUED)**FIGURE 3. FRAN TEMPLATE (CONTINUED)****EXAMPLE 2 (WITHOUT PREVIOUS IBR):**

(**) You must use the service information specified in Table ** of this AD to do the actions required by this AD, unless the AD specifies otherwise.

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

(2) For service information identified in this AD, contact [MANUFACTURER AND ADDRESS].

(3) You may review copies at the FAA, **; or 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/code_of_federal_regulations/ibr_locations.html.

EXAMPLE: Table ** – Material Incorporated by Reference

Service Bulletin No.	Page	Revision	Date

EXAMPLE 3 (WITHOUT PREVIOUS IBR):

(**) You must use ** to do the actions required by this AD, unless the AD specifies otherwise.

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

(2) For service information identified in this AD, contact [MANUFACTURER AND ADDRESS].

(3) You may review copies at the FAA, **; or 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/code_of_federal_regulations/ibr_locations.html.

EXAMPLE 4:

(**) None.]

Issued in [City, State], on [date]

[name of signer],
[Title],
** Directorate,
[office].

APPENDIX 5. LANGUAGE FOR AD DIFFERENCES

When the ASE identifies on the MCAI AD worksheet any policy (see paragraphs 8.b. and 8.c. of this order) that creates a ‘difference’ from the MCAI, the writer must use the following standard fixed language to describe and highlight each difference, inserting the language into the NOTE of the rule portion of the AD titled *FAA AD Differences*.

a. Differences due to Product-type Requirements. Following are two examples of product-type action differences. For other product-type actions for which examples are not provided below, the writer should develop concise language similar in detail to the examples. When invoking other actions, a copy of the language must be sent to the AIR-140 manager for standardization purposes and incorporation into future guidance.

(1) No Flight with Cracks. Although the MCAI or service information allows further flight after cracks are found during compliance with the required action, *(insert paragraph reference)* of this AD requires that you (repair the crack(s) before further flight *(or other appropriate FAA action)*).

(2) Mandatory Terminating Action. Although the MCAI or service information provides for an optional terminating action, *(insert paragraph reference)* of this AD requires that you perform terminating action within *(insert FAA required compliance time)*.

b. Differences from MCAI Equivalent Action. Following are differences to be used when differing from MCAI equivalent actions. Unless specified differently below, do not delete any information from paragraph (f) of the rule portion of the AD.

(1) Spares (or Parts Installation). *(insert paragraph reference)* of this AD requires that if a part must be replaced for any reason before the AD’s compliance threshold, only the new part that is required by the AD can be installed.

(2) Contact the Manufacturer. Although the MCAI or service information tells you to contact the manufacturer for information, *(insert paragraph reference)* of this AD requires that you contact the FAA instead, at *(insert contact info)*. *(Note that if ‘contact the manufacturer’ difference is applied, the writer must remove the first and second sentence of paragraph (f)(2) from the rule portion of the AD template, titled Airworthy Product).*

(3) Replacement of Parts. Although the MCAI or service information tells you to return the affected part *(insert part number)* to the manufacturer, *(insert paragraph reference)* of this AD specifies that such return is not required.

(4) Reporting Requirement. Although the MCAI or service information tells you to submit information to the *(Authority or manufacturer)*, *(insert paragraph reference)* of this AD specifies that such submittal is not required. *(Note that if the ‘reporting requirement’ difference is applied, the writer must remove paragraph (f)(3) from the rule portion of the AD template, titled Reporting Requirements).*