



[4910-13-P]

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2015-8468; Directorate Identifier 2014-NM-208-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; Airbus Airplanes**

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

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

**SUMMARY:** We propose to supersede Airworthiness Directive (AD) 2007-21-14 R1, for all Airbus Model A310 series airplanes. AD 2007-21-14 R1 currently requires revising the Airworthiness Limitations Section of the Instructions for Continued Airworthiness to incorporate new limitations for fuel tank systems. Since we issued AD 2007-21-14R1, we have determined that more restrictive maintenance requirements and/or airworthiness limitations are necessary. This proposed AD would require revising the maintenance program or inspection program to incorporate revised fuel maintenance and inspection tasks. We are proposing this AD to prevent the potential of ignition sources inside fuel tanks, which, in combination with flammable fuel vapors caused by latent failures, alterations, repairs, or maintenance actions, could result in fuel tank explosions and consequent loss of the airplane.

**DATES:** We must receive comments on this proposed AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

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

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- Hand Delivery: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Airbus SAS, Airworthiness Office – EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email [account.airworth-eas@airbus.com](mailto:account.airworth-eas@airbus.com); Internet <http://www.airbus.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

### **Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-8468; 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 Operations office (telephone 800-647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-2125; fax 425-227-1149.

**SUPPLEMENTARY INFORMATION:**

**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-2015-8468; Directorate Identifier 2014-NM-208-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://www.regulations.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**

On October 19, 2009, we issued AD 2007-21-14 R1, Amendment 39-16061 (74 FR 55123, October 27, 2009). AD 2007-21-14 R1 requires actions intended to

address an unsafe condition on all Airbus Model A310 series airplanes.

AD 2007-21-14 R1 revised AD 2007-21-14, Amendment 39-15232, (72 FR 58499, October 16, 2007).

Since we issued AD 2007-21-14R1, Amendment 39-16061 (74 FR 55123, October 27, 2009), we have determined more restrictive maintenance requirements and airworthiness limitations are necessary.

The European Aviation Safety Agency, which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2014-0193, dated October 15, 2014 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition all Airbus Model A310 series airplanes. The MCAI states:

Prompted by an accident \*\*\*, the Federal Aviation Administration (FAA) published Special Federal Aviation Regulation (SFAR) 88, [[http://rgl.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rgFAAR.nsf/0/EEFB3F94451DC06286256C93004F5E07?OpenDocument&Highlight=sfar 88](http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgFAAR.nsf/0/EEFB3F94451DC06286256C93004F5E07?OpenDocument&Highlight=sfar%2088)], and the Joint Aviation Authorities (JAA) published Interim Policy INT/POL/25/12. In response to these regulations, Airbus conducted a design review to develop Fuel Airworthiness Limitations (FAL) for Airbus on A310 aeroplanes.

The FAL were specified in Airbus A310 FAL document ref. 95A.1930/05 at issue 02 and in the A310 Airworthiness Limitations Section (ALS) variation to FAL document issue 02, ref. 0BVLG110006/COS issue 01, for A310 aeroplanes.

EASA issued [EASA] AD 2006-0202 (<http://ad.easa.europa.eu/ad/2006-0202>) to require compliance with the FAL documents (comprising maintenance/inspection tasks and Critical Design Configuration Control Limitations (CDCCL)).

EASA AD 2006-0202 was superseded by EASA AD 2007-0096 (later revised) [which corresponds to FAA AD 2007-21-14R1, Amendment 39-16061 (74 FR 55123, October 27, 2009)], which retained the original requirements and corrected and updated the compliance paragraphs concerning task ref. 28-18-00-03-1 and CDCCL's.

Since EASA AD 2007-0096R1 [(<http://ad.easa.europa.eu/ad/2007-0096R1>) which corresponds to FAA AD 2007-21-14R1, Amendment 39-16061 (74 FR 55123, October 27, 2009)] was published, Airbus issued A310 ALS Part 5, prompted by EASA policy statement (EASA D2005/CPRO) which requests design approval holders to integrate Fuel Tank Safety items into an ALS document. The A310 ALS Part 5 is approved by EASA.

Failure to comply with the items as identified in Airbus A310 ALS Part 5 could result in a fuel tank explosion and consequent loss of the aeroplane.

For the reasons described above, this [EASA] AD \*\*\* requires implementation of the new and more restrictive maintenance instructions and/or airworthiness limitations as specified in Airbus A310 ALS Part 5.

The unsafe condition is the potential of ignition sources inside fuel tanks, which, in combination with flammable fuel vapors caused by latent failures, alterations, repairs, or maintenance actions, could result in fuel tank explosions and consequent loss of the airplane. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-8468.

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

Airbus has issued A310 Airworthiness Limitations Section (ALS), Part 5, – Fuel Airworthiness Limitations, Revision 00, dated May 27, 2014. The airworthiness

limitations introduce mandatory instructions and more restrictive maintenance requirements. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

### **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 the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

This proposed AD requires revisions to certain operator maintenance documents to include new actions (e.g., inspections and/or Critical Design Configuration Control Limitations (CDCCLs)). Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (m)(1) of this AD. The request should include a description of changes to the required actions that will ensure the continued operational safety of the airplane.

Notwithstanding any other maintenance or operational requirements, components that have been identified as airworthy or installed on the affected airplanes before accomplishing the revision of the airplane maintenance or inspection program specified in this AD, do not need to be reworked in accordance with the CDCCLs. However, once the airplane maintenance or inspection program has been revised as required by this AD, future maintenance actions on these components must be done in accordance with the CDCCLs.

#### **Differences Between this Proposed AD and the MCAI or Service Information**

The MCAI specifies that if there are findings from the ALS inspection tasks, corrective actions must be accomplished in accordance with Airbus maintenance documentation. However, this AD does not include that requirement. Operators of U.S.-registered airplanes are required by general airworthiness and operational regulations to perform maintenance using methods that are acceptable to the FAA. We consider those methods to be adequate to address any corrective actions necessitated by the findings of ALS inspections required by this AD.

This proposed AD would require operators to revise the maintenance or inspection program within 3 months after the effective date of the AD to incorporate revised fuel maintenance and inspection tasks. The MCAI specifies compliance with the tasks as of the effective date of the MCAI. In developing the compliance time for this action, we considered the degree of urgency associated with addressing the unsafe condition. We find 3 months an appropriate compliance time to complete these actions. This difference has been coordinated with the EASA.

## **Costs of Compliance**

We estimate that this proposed AD affects 23 airplanes of U.S. registry.

The actions required by AD 2007-21-14 R1, Amendment 39-16061 (74 FR 55123, October 27, 2009), and retained in this proposed AD take about 2 work-hours per product, at an average labor rate of \$85 per work-hour. Required parts cost \$0 per product. Based on these figures, the estimated cost of the actions that are required by AD 2007-21-14 R1 is \$170 per product.

We also estimate that it would take about 1 work-hour per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$0 per product. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be \$1,955, or \$85 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);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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

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

### **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 removing Airworthiness Directive (AD) 2007-21-14 R1, Amendment 39-16061 (74 FR 55123, October 27, 2009), and adding the following new AD:

**Airbus:** Docket No. FAA-2015-8468; Directorate Identifier 2014-NM-208-AD.

#### **(a) Comments Due Date**

We must receive comments by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

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

This AD replaces (AD) 2007-21-14R1, Amendment 39-16061 (74 FR 55123, October 27, 2009).

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

This AD applies to Airbus Model A310-203, -204, -221, -222, -304, -322, -324, and -325 airplanes; certificated in any category; all manufacturer serial numbers.

#### **(d) Subject**

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

**(e) Reason**

This AD was prompted by Airbus issuing more restrictive instructions and/or fuel airworthiness limitations. We are issuing this AD to prevent the potential of ignition sources inside fuel tanks, which, in combination with flammable fuel vapors caused by latent failures, alterations, repairs, or maintenance actions, could result in fuel tank explosions and consequent loss of the airplane.

**(f) Compliance**

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

**(g) Retained Revision of the Airworthiness Limitations Section (ALS) to Incorporate Fuel Maintenance and Inspection Tasks, with No Changes**

This paragraph restates the requirements of paragraph (f) of AD 2007-21-14R1, Amendment 39-16061 (74 FR 55123, October 27, 2009), with no changes. Within 3 months after November 20, 2007 (the effective date of AD 2007-21-14, Amendment 39-15232, (72 FR 58499, October 16, 2007)), revise the ALS of the Instructions for Continued Airworthiness to incorporate Airbus A310 ALS Part 5 – Fuel Airworthiness Limitations, dated May 31, 2006, as defined in Airbus A310 Fuel Airworthiness Limitations, Document 95A.1930/05, Issue 2, dated May 11, 2007 (approved by the European Aviation Safety Agency (EASA) on July 6, 2007), Section 1, “Maintenance / Inspection Tasks.” For all tasks identified in Section 1 of Document 95A.1930/05, Issue 2, dated May 11, 2007 (approved by the European Aviation Safety Agency (EASA) on July 6, 2007), the initial compliance times start from the later of the times specified in paragraphs (g)(1) and (g)(2) of this AD, and the repetitive inspections must be

accomplished thereafter at the intervals specified in Section 1 of Document 95A.1930/05, except as provided by paragraph (h) of this AD.

(1) November 20, 2007 (the effective date of AD 2007-21-14, Amendment 39-15232, (72 FR 58499, October 16, 2007)).

(2) The date of issuance of the original French standard airworthiness certificate or the date of issuance of the original French export certificate of airworthiness.

Note 1 to paragraph (g) of this AD: Airbus Operator Information Telex SE 999.0079/07, Revision 01, dated August 14, 2007, identifies the applicable sections of the Airbus A310 Airplane Maintenance Manual necessary for accomplishing the tasks specified in Section 1 of Document 95A.1930/05.

**(h) Retained Revision of Initial Compliance Time for Task 28-18-00-03-1, with No Changes**

This paragraph restates the requirements of paragraph (g) of AD 2007-21-14 R1, Amendment 39-16061 (74 FR 55123, October 27, 2009), with no changes. For Task 28-18-00-03-1 identified in Section 1 of Document 95A.1930/05, “Maintenance / Inspection Tasks,” of Airbus A310 Fuel Airworthiness Limitations, Document 95A.1930/05, Issue 2, dated May 11, 2007 (approved by the EASA on July 6, 2007): The initial compliance time is the later of the times specified in paragraphs (h)(1) and (h)(2) of this AD. Thereafter, Task 28-18-00-03-1 identified in Section 1 of Document 95A.1930/05, “Maintenance / Inspection Tasks,” of Airbus A310 Fuel Airworthiness Limitations, Document 95A.1930/05, Issue 2, dated May 11, 2007 (approved by the EASA on July 6, 2007) must be accomplished at the repetitive interval specified in Section 1

of Document 95A.1930/05, Issue 2, dated May 11, 2007 (approved by the EASA on July 6, 2007).

(1) Prior to the accumulation of 40,000 total flight hours.

(2) Within 72 months or 20,000 flight hours after November 20, 2007 (the effective date of AD 2007-21-14, Amendment 39-15232, (72 FR 58499, October 16, 2007)), whichever occurs first.

**(i) Retained Revision of the ALS to Incorporate CDCCLs, with No Changes**

This paragraph restates the requirements of paragraph (h) of AD 2007-21-14R1, Amendment 39-16061 (74 FR 55123, October 27, 2009), with no changes. Within 12 months after November 20, 2007 (the effective date of AD 2007-21-14, Amendment 39-15232, (72 FR 58499, October 16, 2007)), revise the ALS of the Instructions for Continued Airworthiness to incorporate Airbus A310 ALS Part 5 – Fuel Airworthiness Limitations, dated May 31, 2006, as defined in Airbus A310 Fuel Airworthiness Limitations, Document 95A.1930/05, Issue 2, dated May 11, 2007 (approved by the EASA on July 6, 2007), Section 2, “Critical Design Configuration Control Limitations.”

**(j) Retained No Alternative Inspections, Inspection Intervals, or CDCCLs, with New Paragraph Reference**

This paragraph restates the requirements of paragraph (i) of AD 2007-21-14R1, Amendment 39-16061 (74 FR 55123, October 27, 2009), with a new paragraph reference. Except as provided by paragraphs (k) and (m)(1) of this AD: After accomplishing the actions specified in paragraphs (g) and (i) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used.

**(k) New Requirement of this AD: Revise the Maintenance or Inspection Program**

Within 3 months after the effective date of this AD, revise the maintenance or inspection program, as applicable, by incorporating the airworthiness limitations as specified in Airbus A310 Airworthiness Limitations Section (ALS) Part 5 – Fuel Airworthiness Limitations, Revision 00, dated May 27, 2014. The initial compliance times for the actions specified Airbus A310 ALS Part 5 – Fuel Airworthiness Limitations, Revision 00, dated May 27, 2014, are at the later of the times specified in Airbus A310 ALS Part 5 – Fuel Airworthiness Limitations, Revision 00, dated May 27, 2014, or within 3 months after the effective date of this AD, whichever occurs later. Accomplishing the revision required by this paragraph terminates the actions required by paragraphs (g) through (i) of this AD.

**(l) New Requirement of this AD: No Alternative Inspections, Intervals, and/or Critical Design Configuration Control Limitations (CDCCLs)**

After the maintenance or inspection program has been revised as required by paragraph (k) of this AD, no alternative actions (e.g., inspections), intervals, and/or CDCCLs may be used unless the actions, intervals, and/or CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (m)(1) of this AD.

**(m) Other FAA AD Provisions**

The following provisions also apply to this AD:

**(1) Alternative Methods of Compliance (AMOCs):** The Manager, International Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request

to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-2125; fax 425-227-1149. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

**(2) Contacting the Manufacturer:** As of the effective date of this AD, for any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

**(n) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency Airworthiness Directive 2014-0193, dated October 15, 2014, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-8468.

(2) For service information identified in this AD, contact Airbus SAS, Airworthiness Office – EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email [account.airworth-eas@airbus.com](mailto:account.airworth-eas@airbus.com); Internet <http://www.airbus.com>. You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

Issued in Renton, Washington, on January 5, 2016.

Victor Wicklund,  
Acting Manager,  
Transport Airplane Directorate,  
Aircraft Certification Service.

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