



[4910-13-P]

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2016-9568; Product Identifier 2016-NM-150-AD; Amendment 39-19077; AD 2017-21-06]

#### RIN 2120-AA64

**Airworthiness Directives;** 328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH)  
Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain 328 Support Services GmbH Model 328-100 and Model 328-300 airplanes. This AD was prompted by reports of broken bonding wires of certain fuel line clamps. This AD requires repetitive inspections of certain fuel line clamps for discrepancies; repetitive inspections of certain parts for chafing marks; and replacement of any discrepant parts. This AD also includes an optional modification, which is a terminating action for the inspections. We are issuing this AD to address the unsafe condition on these products.

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

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

**ADDRESSES:** For service information identified in this final rule, contact 328 Support Services GmbH, Global Support Center, P.O. Box 1252, D-82231 Wessling, Federal Republic of Germany; telephone +49 8153 88111 6666; fax +49 8153 88111 6565; email [gsc.op@328support.de](mailto:gsc.op@328support.de); Internet <http://www.328support.de>. You may view this referenced service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-9568.

#### **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-2016-9568; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone 800-647-5527) is Docket Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Todd Thompson, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1175; fax 425-227-1149.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain 328 Support Services GmbH Model 328-100 and Model 328-300 airplanes. The SNPRM published in the Federal Register on June 30, 2017 (82 FR 29786) (“the SNPRM”). We preceded the SNPRM with a notice of proposed rulemaking (NPRM) that published in the Federal Register on January 11, 2017 (82 FR 3217) (“the NPRM”). The NPRM proposed to require a one-time inspection of certain fuel line clamps for discrepancies, and replacement of any discrepant clamps. The NPRM was prompted by reports of broken bonding wires of certain fuel line clamps. The SNPRM proposed to expand the applicability and require repetitive inspections of certain fuel line clamps for discrepancies; repetitive inspections of certain jet fuel pumps, connection parts, and fuel lines for chafing marks; a measurement of the depth of the chafing marks on affected parts; and replacement of any discrepant parts. We are issuing this AD to prevent the loss of bonding function, which, in combination with a lightning strike, could create a source of ignition in a fuel tank, possibly resulting in a fire or explosion and consequent loss of the airplane.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2017-0016, dated January 31, 2017 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for certain 328 Support Services GmbH Model 328-100 and Model 328-300 airplanes. The MCAI states:

Occurrences of broken bonding wires of the fuel line clamps have been reported on Dornier 328-100 and Dornier 328-300 aeroplanes equipped with fuel line clamps Part Number (P/N) 14C02-10A, or P/N 14C02-12A, or P/N 14C02-16A. The affected fuel line clamps have been installed in accordance with the instructions of Dornier 328 Service Bulletin (SB) SB-328-28-490 or SB-328J-28-241, as applicable, to reduce occurrences of fuel line chafing.

The results of the investigation did not identify design deficiency or production failure of the fuel line clamps. It is assumed that the chafing and breaking of the bonding wires are caused either by excessive vibration, misalignment, excessive installation tolerances or mistakes on installation or a combination thereof.

This condition, if not detected and corrected, could lead to the loss of bonding function and, in combination with a lightning strike, create a source of ignition in a fuel tank, possibly resulting in a fire or explosion and consequent loss of the aeroplane.

To address the unsafe condition, 328 Support Services issued Alert SB (ASB) ASB-328-28-041 (for Dornier 328-100) and ASB-328J-28-018 (for Dornier 328-300), providing inspection instructions.

Consequently, EASA issued AD 2016-0169 [which corresponds to the NPRM] to require a one-time inspection of the fuel line clamps and, depending on findings, replacement. That [EASA] AD also required the reporting of all inspection results to the design approval holder.

Since that [EASA] AD was issued, it was determined that repetitive inspections are necessary and 328 Support Services revised the applicable ASBs accordingly.

For the reason described above, this [EASA] AD retains the requirements of EASA AD 2016-0169, which is superseded, and requires repetitive inspections of all Hydraflow fuel line clamps [i.e., a general visual inspection of all Hydraflow fuel line clamps for worn and missing bonding wires; a general visual inspection of the jet pump outlet, connection part, and fuel lines for chafing marks; and a measurement of the depth of the chafing marks on affected parts] and continued reporting to the TC Holder.

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-2016-9568.

#### **Comments**

We gave the public the opportunity to participate in developing this AD. The following presents the comment received on the SNPRM and the FAA's response to that comment.

#### **Request to Incorporate a New Optional Terminating Action**

One commenter, Christoph Thallmayr, stated that 328 Support Services has released Service Bulletin SB-328-28-553, Revision 1, dated July 10, 2017; and Service Bulletin SB-328J-28-322, Revision 1, dated July 10, 2017. The commenter noted that this service information contains instructions for a modification, which is considered a terminating action to the inspections specified in the SNPRM. The commenter requested that we incorporate the terminating action and applicable service information into the final rule.

We agree with the commenter's request. We have added paragraph (l) to this AD to allow operators to accomplish an optional terminating modification, which must be done in accordance with 328 Support Services GmbH Service Bulletin SB-328-28-553, Revision 1, dated July 10, 2017; or Service Bulletin SB-328J-28-322, Revision 1, dated July 10, 2017; as applicable. We also have redesignated subsequent paragraphs accordingly.

### **Conclusion**

We reviewed the relevant data, considered the comment received, and determined that air safety and the public interest require adopting this AD with the changes described previously and minor editorial changes. We have determined that these minor changes:

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

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

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

328 Support Services GmbH has issued Alert Service Bulletin ASB-328J-28-018, Revision 2, dated December 12, 2016; and Alert Service Bulletin ASB-328-28-041, Revision 2, dated December 12, 2016. The service information describes procedures for a general visual inspection of all Hydraflow fuel line clamps for worn and missing bonding wires; a general visual inspection of the jet pump outlet, connection part, and fuel lines

for chafing marks; a measurement of the depth of the chafing marks; and replacement of discrepant parts. These documents are distinct since they apply to different airplane models.

328 Support Services GmbH has also issued Service Bulletin SB-328-28-553, Revision 1, dated July 10, 2017; and Service Bulletin SB-328J-28-322, Revision 1, dated July 10, 2017. The service information describes procedures for modifying the wing tank distribution system. These documents are distinct since they apply to different airplane models.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

### **Costs of Compliance**

We estimate that this AD affects 25 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

### Estimated costs

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspections/measurement	8 work-hours X \$85 per hour = \$680 per inspection cycle	\$0	\$680 per inspection cycle	\$17,000 per inspection cycle
Reporting	1 work hour X \$85 per hour = \$85 per inspection cycle	\$0	\$85 per inspection cycle	\$2,125 per inspection cycle

### Estimated costs for optional actions

Action	Labor cost	Parts cost	Cost per product
Modification	Up to 12 work-hours X \$85 per hour = \$1,020	Up to \$2,800	Up to \$3,820

We estimate the following costs to do any necessary replacements that would be required based on the results of the required inspections and measurement. We have no way of determining the number of aircraft that might need these replacements:

### On-condition costs

Action	Labor cost	Parts cost	Cost per product
Replacement	Up to 1 work-hour X \$85 per hour = \$85	Up to \$588	Up to \$673

## **Paperwork Reduction Act**

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB control number. The control number for the collection of information required by this AD is 2120-0056. The paperwork cost associated with this AD has been detailed in the Costs of Compliance section of this document and includes time for reviewing instructions, as well as completing and reviewing the collection of information. Therefore, all reporting associated with this AD is mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at 800 Independence Ave., SW, Washington, DC 20591, ATTN: Information Collection Clearance Officer, AES-200.

## **Authority for this Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds

necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

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

### **Regulatory Findings**

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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

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

### **Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

#### **PART 39 - AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**2017-21-06 328 Support Services GmbH (Type Certificate previously held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH):**

Amendment 39-19077; Docket No. FAA-2016-9568; Product Identifier 2016-NM-150-AD.

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

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

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

None.

**(c) Applicability**

This AD applies to 328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) airplanes, certificated in any category, as identified in paragraphs (c)(1) and (c)(2) of this AD.

(1) Model 328-100 airplanes, all serial numbers.

(2) Model 328-300 airplanes, all serial numbers.

**(d) Subject**

Air Transport Association (ATA) of America Code 28, Fuel.

**(e) Reason**

This AD was prompted by reports of broken bonding wires of certain fuel line clamps. We are issuing this AD to prevent the loss of bonding function, which, in combination with a lightning strike, could create a source of ignition in a fuel tank, possibly resulting in a fire or explosion and consequent loss of the airplane.

**(f) Compliance**

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

**(g) Repetitive Inspections**

Within 6 months after the effective date of this AD, do a general visual inspection of all Hydraflow fuel line clamps for worn and missing bonding wires; do a general visual inspection of the jet pump outlet, connection part, and fuel lines for chafing marks; and for parts with chafing marks, before further flight, measure the depth of the chafing marks; in accordance with the Accomplishment Instructions of the service information

specified in paragraph (g)(1) or (g)(2) of this AD, as applicable. Repeat the inspections thereafter at intervals not to exceed 2,500 flight hours.

(1) 328 Support Services GmbH Alert Service Bulletin ASB-328-28-041, Revision 2, dated December 12, 2016 (for Model 328-100 airplanes).

(2) 328 Support Services GmbH Alert Service Bulletin ASB-328J-28-018, Revision 2, dated December 12, 2016 (for Model 328-300 airplanes).

**(h) Replacement of Parts**

(1) If any worn or missing bonding wires are found during any inspection required by paragraph (g) of this AD, before further flight, replace all affected clamps, in accordance with the Accomplishment Instructions of the service information specified in paragraph (g)(1) or (g)(2) of this AD, as applicable.

(2) If, during any inspection required by paragraph (g) of this AD, any chafing depth is found that is more than the replacement limits specified in the Accomplishment Instructions of the service information specified in paragraph (g)(1) or (g)(2) of this AD, as applicable, before further flight, replace all affected parts, in accordance with the Accomplishment Instructions of the service information specified in paragraph (g)(1) or (g)(2) of this AD, as applicable.

**(i) Reporting**

At the applicable time specified in paragraph (i)(1) or (i)(2) of this AD, report the inspection results, positive or negative, to 328 Support Services, GmbH, Global Support Center, P.O. Box 1252, D-82231 Wessling, Federal Republic of Germany; fax

+49 8153 88111 6565; email gsc.op@328support.de. The report must include findings on fuel line clamps, aircraft serial number, total flight hours, and total landings.

(1) If the inspection was done on or after the effective date of this AD: Submit the report within 30 days after the inspection.

(2) If the inspection was done before the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

**(j) Credit for Previous Actions**

This paragraph provides credit for the initial inspection, parts replacement, and initial report required by paragraphs (g), (h), and (i) of this AD, if those actions were performed before the effective date of this AD using the service information specified in paragraphs (j)(1) through (j)(4) of this AD.

(1) 328 Support Services GmbH Alert Service Bulletin ASB-328-28-041, dated June 14, 2016.

(2) 328 Support Services GmbH Alert Service Bulletin ASB-328-28-041, Revision 1, dated October 13, 2016.

(3) 328 Support Services GmbH Alert Service Bulletin ASB-328J-28-018, dated June 3, 2016.

(4) 328 Support Services GmbH Alert Service Bulletin ASB-328J-28-018, Revision 1, dated October 13, 2016.

**(k) Clamp Replacement: No Terminating Action if Clamp Replacement is Done**

Replacement of clamps as required by paragraph (h) of this AD does not constitute terminating action for the repetitive inspections required by paragraph (g) of this AD for that airplane.

**(l) Optional Terminating Modification**

Modification of the wing tank distribution system, in accordance with the Accomplishment Instructions of 328 Support Services GmbH Service Bulletin SB-328-28-553, Revision 1, dated July 10, 2017; or 328 Support Services GmbH Service Bulletin SB-328J-28-322, Revision 1, dated July 10, 2017, as applicable, terminates the actions required by paragraphs (g), (h), and (i) of this AD for the modified airplane.

**(m) Other FAA AD Provisions**

The following provisions also apply to this AD:

**(1) Alternative Methods of Compliance (AMOCs):** The Manager, International Section, Transport Standards 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 Section, send it to the attention of the person identified in paragraph (n)(2) of this AD. 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.

**(2) Contacting the Manufacturer:** For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or 328 Support Services GmbH's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

**(3) Reporting Requirements:** A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES-200.

**(n) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2017-0016, dated January 31, 2017, 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-2016-9568.

(2) For more information about this AD, contact Todd Thompson, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1175; fax 425-227-1149.

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

**(o) Material Incorporated by Reference**

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

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) 328 Support Services GmbH Alert Service Bulletin ASB-328-28-041, Revision 2, dated December 12, 2016.

(ii) 328 Support Services GmbH Alert Service Bulletin ASB-328J-28-018, Revision 2, dated December 12, 2016.

(iii) 328 Support Services GmbH Service Bulletin SB-328-28-553, Revision 1, dated July 10, 2017.

(iv) 328 Support Services GmbH Service Bulletin SB-328J-28-322, Revision 1, dated July 10, 2017.

(3) For service information identified in this AD, contact 328 Support Services GmbH, Global Support Center, P.O. Box 1252, D-82231 Wessling, Federal Republic of

Germany; telephone +49 8153 88111 6666; fax +49 8153 88111 6565; email gsc.op@328support.de; Internet <http://www.328support.de>.

(4) You may view this service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on October 11, 2017.

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

[FR Doc. 2017-22561 Filed: 11/14/2017 8:45 am; Publication Date: 11/15/2017]