



[4910-13-P]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2020-0327; Product Identifier 2020-NM-033-AD]

RIN 2120-AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive

(AD) 2016-18-09, which applies to certain Airbus SAS Model A318, A319, and A320 series airplanes. AD 2016-18-09 requires repetitive detailed inspections for damage on the fuselage skin at certain frames, and applicable related investigative and corrective actions. Since the FAA issued AD 2016-18-09, additional chafing of the forward fuselage underneath the fairing structure was found. Investigation revealed the cause as contact between the belly fairing nut plate and the fuselage. This proposed AD would continue to require repetitive inspections of the fuselage skin for chafing damage at certain frames using a new inspection process, and corrective actions if necessary, as specified in a European Union Aviation Safety Agency (EASA) AD, which will be incorporated by reference. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA 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, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

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

- Fax: 202-493-2251.

- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- Hand Delivery: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For the material identified in this proposed AD that will be incorporated by reference (IBR), contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 1000; email ADs@easa.europa.eu; Internet www.easa.europa.eu. You may find this IBR material on the EASA website at <https://ad.easa.europa.eu>. You may view this IBR material at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available in the AD docket on the Internet at <https://www.regulations.gov> by searching for and locating

Docket No. FAA-2020-0327.

Examining the AD Docket

You may examine the AD docket on the Internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0327; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations is listed above.

Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3223; email sanjay.ralhan@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA-2020-0327; Product Identifier 2020-NM-033-AD” at the beginning of your comments. The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. The FAA will consider all comments received by the closing date and may amend this NPRM based on those comments.

The FAA will post all comments, without change, to <https://www.regulations.gov>, including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact receives about this NPRM.

Discussion

The FAA issued AD 2016-18-09, Amendment 39-18639 (81 FR 61993, September 8, 2016) (“AD 2016-18-09”), which applied to certain Airbus SAS Model A318, A319, and A320 series airplanes. AD 2016-18-09 requires repetitive detailed inspections for damage on the fuselage skin at certain frames, and applicable related investigative and corrective actions. The FAA issued AD 2016-18-09 to address damage to the fuselage skin, which could lead to crack initiation and propagation, possibly resulting in reduced structural integrity of the fuselage.

Actions Since AD 2016-18-09 Was Issued

Since the FAA issued AD 2016-18-09, additional chafing of the forward fuselage underneath the fairing structure was found. Investigation revealed the cause as contact between the belly fairing nut plate and the fuselage; therefore, Airbus issued Service Bulletin A320-53-1287, Revision 01, dated April 4, 2019, to include process changes to ensure the electrical requirement integrity.

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2020-0030, dated February 18, 2020 (“EASA AD 2020-0030”) (also referred to as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for certain Airbus SAS Model A318 series airplanes; Model A319-111, -112, -113, -114, -115, -131, -132, and -133 airplanes; and

Model A320-211, -212, -214, -215, -216, -231, -232, and -233 airplanes. EASA AD 2020-0030 supersedes EASA AD 2014-0259 (which corresponds to FAA AD 2016-18-09).

Model A320-215 airplanes are not certificated by the FAA and are not included on the U.S. type certificate data sheet; therefore, this AD does not include those airplanes in the applicability.

This proposed AD was prompted by a report of additional chafing of the forward fuselage underneath the fairing structure. Investigation revealed the cause as contact between the belly fairing nut plate and the fuselage. The FAA is proposing this AD to address damage to the fuselage skin, which could lead to crack initiation and propagation, possibly resulting in reduced structural integrity of the fuselage. See the MCAI for additional background information.

Model A320-216 Airplanes

The Airbus SAS Model A320-216 was U.S. type certificated on December 19, 2016. Before that date, any EASA ADs that affected Model A320-216 airplanes were included in the U.S. type certificate as part of the Required Airworthiness Actions List (RAAL). One or more Model A320-216 airplanes have subsequently been placed on the U.S. Register, and will now be included in FAA AD actions. For Model A320-216 airplanes, the requirements that correspond to FAA AD 2016-18-09 were mandated by the MCAI via the RAAL. Although that RAAL requirement is still in effect, for continuity and clarity the FAA has identified Model A320-216 airplanes in paragraph (c) of this AD.

Explanation of Retained Requirements

Although this proposed AD does not explicitly restate the requirements of AD 2016-18-09, this proposed AD would retain all of the requirements of AD 2016-18-09. Those requirements are referenced in EASA AD 2020-0030, which, in turn, is referenced in paragraph (g) of this proposed AD.

Related IBR Material under 1 CFR Part 51

EASA AD 2020-0030 describes procedures for repetitive inspections of the fuselage skin for chafing damage at certain frames, and applicable corrective actions if damage is found. The corrective actions include a special detailed inspection of external fuselage skin panel for any cracking, measurement of crack length and remaining thickness, modification, and repair. EASA AD 2020-0030 also provides an optional terminating action (modification of the forward belly fairing) for the repetitive inspections. This material 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 the FAA's bilateral agreement with the State of Design Authority, the FAA has been notified of the unsafe condition described in the MCAI referenced above. The FAA is proposing this AD because the FAA 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.

Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in EASA AD 2020-0030 described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA initially worked with Airbus and EASA to develop a process to use certain EASA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has since coordinated with other manufacturers and civil aviation authorities (CAAs) to use this process. As a result, EASA AD 2020-0030 will be incorporated by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2020-0030 in its entirety, through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in the EASA AD does not mean that operators need comply only with that section. For example, where the AD requirement refers to "all required actions and compliance times," compliance with this AD requirement is not limited to the section titled "Required Action(s) and Compliance Time(s)" in the EASA AD. Service information specified in EASA AD 2020-0030 that is required for compliance with EASA AD 2020-0030 will be available on the Internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0327 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this proposed AD affects 1,538 airplanes of U.S. registry.

The FAA estimates the following costs to comply with this AD:

Estimated costs for required actions

| Action | Labor cost | Parts cost | Cost per product | Cost on U.S. operators |
|-------------------------------------|---|------------|------------------|------------------------|
| Retained actions from AD 2016-18-09 | 12 work-hours X \$85 per hour = \$1,020 | \$90 | \$1,110 | \$1,691,800 |
| New proposed actions | 13 work-hours X \$85 per hour = \$1,105 | \$150 | \$1,255 | \$1,930,190 |

Estimated costs of on-condition actions

| Labor cost | Parts cost | Cost per product |
|--|------------|------------------|
| 21 work-hours X \$85 per hour = \$1,785 | \$3,550 | \$5,335 |

Estimated costs for optional actions

| Labor cost | Parts cost | Cost per product |
|--|------------|------------------|
| 21 work-hours X \$85 per hour = \$1,785 | \$4,150 | \$5,935 |

Authority for this Rulemaking

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

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: “General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA 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) Will not affect intrastate aviation in Alaska, 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.

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) 2016-18-09, Amendment 39-18639 (81 FR 61993, September 8, 2016) and adding the following new AD:

Airbus SAS: Docket No. FAA-2020-0327; Product Identifier 2020-NM-033-AD.

(a) Comments Due Date

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

(b) Affected ADs

This AD replaces AD 2016-18-09, Amendment 39-18639 (81 FR 61993, September 8, 2016) (“AD 2016-18-09”).

(c) Applicability

This AD applies to Airbus SAS Model airplanes specified in paragraphs (c)(1) through (3) of this AD, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2020-0030, dated February 18, 2020 (“EASA AD 2020-0030”).

(1) Model A318-111, -112, -121, and -122 airplanes.

(2) Model A319-111, -112, -113, -114, -115, -131, -132, and -133 airplanes.

(3) Model A320-211, -212, -214, -216, -231, -232, and -233 airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Reason

This AD was prompted by a report of additional chafing of the forward fuselage underneath the fairing structure. Investigation revealed the cause as contact between the belly fairing nut plate and the fuselage. The FAA is issuing this AD to address damage to the fuselage skin, which could lead to crack initiation and propagation, possibly resulting in reduced structural integrity of the fuselage.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2020-0030.

(h) Exceptions to EASA AD 2020-0030

(1) Where EASA AD 2020-0030 refers to its effective date, this AD requires using the effective date of this AD.

(2) The “Remarks” section of EASA AD 2020-0030 does not apply to this AD.

(3) Where EASA AD 2020-0030 refers to the effective date of EASA AD 2014-0259, this AD requires using October 13, 2016 (the effective date of AD 2016-18-09).

(4) Where EASA AD 2020-0030 refers to doing actions “in accordance with the instructions of” the service information, for this AD, only use paragraph 3.C., “Procedure,” of the service information.

(i) 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 (j)(2) of this AD. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov.

(i) 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.

(ii) AMOCs approved previously for AD 2016-18-09 are approved as AMOCs for the corresponding provisions of EASA AD 2020-0030 that are required by paragraph (g) of this AD.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC)*: For any service information referenced in EASA AD 2020-0030 that contains RC procedures and tests: Except as required by paragraph (i)(2) of this AD, RC procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(j) Related Information

(1) For information about EASA AD 2020-0030, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 6017; email ADs@easa.europa.eu; Internet www.easa.europa.eu. You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>. You may view this material at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. This

material may be found in the AD docket on the Internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0327.

(2) For more information about this AD, contact Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3223; email sanjay.ralhan@faa.gov.

Issued on April 3, 2020.

Lance T. Gant, Director,
Compliance & Airworthiness Division,
Aircraft Certification Service.

[FR Doc. 2020-07463 Filed: 4/9/2020 8:45 am; Publication Date: 4/10/2020]