



[4910-13-P]

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2020-0843; Product Identifier 2020-NM-073-AD]

RIN 2120-AA64

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

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

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for certain Bombardier, Inc., Model BD-700-1A10 airplanes. This proposed AD was prompted by a report of smoke and signs of an overheating condition from the emergency light battery (ELB) due to excessive corrosion surrounding the internal lead acid batteries, which caused an electrical short circuit that led to the smoke and overheating condition. This proposed AD would require an inspection to determine the last replacement date of the ELB, and replacement if necessary. This proposed AD would also require the incorporation of a new maintenance task into the aircraft maintenance schedule. 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: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <https://www.bombardier.com>. You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

### **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-2020-0843; 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, 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:** Thomas Niczky, Aerospace Engineer, Avionics and Electrical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7347; fax 516-794-5531; email 9-avs-nyaco-cos@faa.gov.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

The FAA invites you to participate in this rulemaking by submitting written comments, data, or views about this proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit only one time. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA-2020-0843; Product Identifier 2020-NM-073-AD” at the beginning of your comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments received by the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this NPRM because of those comments.

**Confidential Business Information**

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to the person identified in the FOR FURTHER INFORMATION CONTACT section. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

### **Discussion**

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian AD CF-2020-07, dated March 17, 2020 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for certain Bombardier, Inc., Model BD-700-1A10 airplanes. You may examine the MCAI in the AD docket on the Internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0843.

This proposed AD was prompted by a report of smoke and signs of an overheating condition from the ELB due to excessive corrosion surrounding the internal lead acid batteries, which caused an electrical short circuit that led to the smoke and overheating condition. The FAA is proposing this AD to address such conditions, which

could cause fire onboard the airplane. See the MCAI for additional background information.

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

Bombardier has issued Service Bulletin 700-33-024, dated May 13, 2019. This service information describes procedures for an inspection to determine the last battery replacement date of the ELB, and replacement if necessary.

Bombardier also issued following service information.

- Supplemental Time Limits/Maintenance Checks (STLMC) Temporary Revision (TR) 05-19091701, dated September 17, 2019.
- STLMC TR 05-19091704, dated September 17, 2019.
- STLMC TR 05-19091705, dated September 17, 2019.

These documents describe amendments to the aircraft maintenance schedule for the ELB restoration and are distinct since they apply to different airplane serial numbers.

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**

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, the FAA has been notified of the unsafe condition described in the MCAI and service information referenced above. The FAA is proposing this AD because the FAA evaluated all the relevant information and determined the

unsafe condition described previously is likely to exist or develop on other products of the same type design.

### **Proposed Requirements of this NPRM**

This proposed AD would require accomplishing the actions specified in Bombardier Service Bulletin 700-33-024, dated May 13, 2019, described previously.

This proposed AD would also require the incorporation of a new maintenance task into the aircraft maintenance schedule.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (e.g., inspections). 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 this proposed AD, the operator may not be able to accomplish the actions 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 according to paragraph (l)(1) of this proposed AD.

### **Costs of Compliance**

The FAA estimates that this proposed AD affects 69 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

#### **Estimated costs for required actions**

<b>Labor cost</b>	<b>Parts cost</b>	<b>Cost per product</b>	<b>Cost on U.S. operators</b>
3 work-hours X \$85 per hour = \$255	\$11,308	\$11,563	\$797,847

The FAA has determined that revising the maintenance or inspection program takes an average of 90 work-hours per operator, although the FAA recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or

inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, the FAA estimates the total cost per operator to be \$7,650 (90 work-hours x \$85 per work-hour).

### **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 adding the following new airworthiness directive (AD):

**Bombardier, Inc.:** Docket No. FAA-2020-0843; Product Identifier 2020-NM-073-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**

None.

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

This AD applies to Bombardier, Inc., Model BD-700-1A10 airplanes, certificated in any category, serial numbers 9002, 9003, 9011, 9016, 9020, 9022 through 9025

inclusive, 9029, 9031, 9032, 9036, 9039 through 9044 inclusive, 9046 through 9058 inclusive, 9060 through 9065 inclusive, 9067 through 9081 inclusive, 9083 through 9106 inclusive, 9108 through 9122 inclusive, 9124 through 9126 inclusive, 9128, 9129, 9133, 9134, 9136 through 9139 inclusive, 9141 through 9148 inclusive, 9150, 9151, 9153, 9159, 9162, 9163, 9165, and 9169.

**(d) Subject**

Air Transport Association (ATA) of America Code 33, Lights.

**(e) Reason**

This AD was prompted by a report of smoke and signs of an overheating condition from the emergency light battery (ELB) due to excessive corrosion surrounding the internal lead acid batteries, which caused an electrical short circuit that led to the smoke and overheating condition. The FAA is issuing this AD to address such conditions, which could cause fire onboard the airplane.

**(f) Compliance**

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

**(g) Inspection and Corrective Action**

Within 15 months after the effective date of this AD, inspect the ELB to determine the last replacement date or the manufacturing date, as applicable; if any date is 4 years or older, replace the ELB before further flight. Do the actions in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 700-33-024, dated May 13, 2019. For airplanes on which the restoration task specified in paragraph (h) of this AD was done before the effective date of this AD, the requirements of paragraph (g) of this AD are not required.

**(h) Maintenance or Inspection Program Revision**

Within 60 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to include the information specified in Bombardier BD-700 Supplemental Time Limits/Maintenance Checks (STLMC) Chapter 5 task number 33-51-54-603, “Restoration of the Emergency Lighting Batteries (XL245-B Emergency Battery System),” in the Bombardier BD-700 STLMC, as specified in the applicable temporary revision identified in figure 1 to paragraph (h) of this AD. The initial compliance time for doing task 33-51-54-603 is at the applicable time specified in paragraph (h)(1) or (2) of this AD. Repeat task 33-51-54-603 thereafter at the interval specified within that task.

(1) If both ELBs were replaced at the time of compliance with paragraph (g) of this AD: Within 48 months after the ELB replacement.

(2) If neither ELB, or only one ELB, was replaced at the time of compliance with paragraph (g) of this AD: Within 48 months after the applicable compliance time specified in paragraph (h)(2)(i) or (ii) of this AD.

(i) For each ELB, use the battery replacement date, if it is indicated.

(ii) For each ELB, use the date of manufacture, if it does not have a battery replacement date indicated.

**Figure 1 to paragraph (h) – Service Information**

<b>Airplane Serial Number</b>	<b>Temporary Revision (TR)</b>
9002, 9003, 9011, 9016, 9020, 9022 through 9025 inclusive, 9029, 9031, 9032, 9036, 9039 through 9044 inclusive, 9046 through 9058 inclusive, 9060 through 9065 inclusive, 9067 through 9081 inclusive, 9083 through 9106 inclusive, 9108 through 9122 inclusive, and 9124	Bombardier Global Express BD-700 STLMC TR 05-19091701, dated September 17, 2019

<b>Airplane Serial Number</b>	<b>Temporary Revision (TR)</b>
9125, 9126, 9128, 9129, 9133, 9134, 9136 through 9139 inclusive, 9141 through 9148 inclusive, 9150, 9151, and 9153	Bombardier Global Express BD-700 STLMC TR 05-19091704, dated September 17, 2019
9159, 9162, 9163, 9165, and 9169	Bombardier Global Express XRS BD-700 STLMC TR 05-19091705, dated September 17, 2019

**(i) Misidentified Restoration Task**

The following temporary revisions misidentified the required restoration task as task “33-51-54-602.”

(1) Bombardier Global Express XRS BD-700 STLMC Temporary Revision 05-19032701, dated March 27, 2019.

(2) Bombardier Global Express BD-700 STLMC Temporary Revision 05-19040301, dated April 3, 2019.

(3) Bombardier Global Express BD-700 STLMC Temporary Revision 05-19040401, dated April 4, 2019.

**(j) Compliance with Restoration Task for Airplanes on Which the Misidentified Task was Accomplished**

For airplanes on which the restoration task specified as task “33-51-54-602” in the applicable temporary revision identified in paragraph (i) of this AD was done before the effective date of this AD:

(1) The actions specified in paragraph (g) of this AD are not required.

(2) The initial accomplishment of the task specified in paragraphs (h)(1) and (2) of this AD is not required.

(3) Task 33-51-54-603 must be done within 48 months after task “33-51-54-602” was accomplished, and thereafter at the intervals specified in task 33-51-54-603.

**(k) No Alternative Actions and Intervals**

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

**(l) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, New York ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada Civil

Aviation (TCCA); or Bombardier's TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

**(m) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian AD CF-2020-07, dated March 17, 2020, for related information. This MCAI may be found in the AD docket on the Internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0843.

(2) For more information about this AD, contact Thomas Niczky, Aerospace Engineer, Avionics and Electrical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7347; fax 516-794-5531; email [9-avs-nyaco-cos@faa.gov](mailto:9-avs-nyaco-cos@faa.gov).

(3) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <https://www.bombardier.com>. You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

Issued on September 10, 2020.

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

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