



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2020-1018; Project Identifier MCAI-2020-01383-R]

RIN 2120-AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2018-19-01, which applies to all Airbus Helicopters Model AS-365N2, AS 365 N3, EC 155B, EC155B1, SA-365N1, and SA-366G1 helicopters. AD 2018-19-01 requires repetitive inspections of the aft fuselage outer skin. Since the FAA issued AD 2018-19-01, it was determined that Model SA-365N helicopters are also affected by the unsafe condition. This proposed AD would continue to require repetitive inspections and would add Model SA-365N helicopters, 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: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For material incorporated by reference (IBR) in this AD, 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, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call 817-222-5110. It is also available in the AD docket on the Internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-1018.

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-2020-1018; 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: Kathleen Arrigotti, Aviation Safety Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3218; email kathleen.arrigotti@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 ADDRESSES. Include “Docket No. FAA-2020-1018; Project Identifier MCAI-2020-01383-R” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those 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, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this proposal.

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 Kathleen Arrigotti, Aviation Safety Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3218; email

kathleen.arrigotti@faa.gov. Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Discussion

The FAA issued AD 2018-19-01, Amendment 39-19401 (83 FR 46862, September 17, 2018) (AD 2018-19-01), which applies to all Airbus Helicopters Model AS 365N2, AS 365 N3, EC 155B, EC155B1, SA-365N1, and SA-366G1 helicopters. AD 2018-19-01 requires repetitive inspections of the aft fuselage outer skin. The FAA issued AD 2018-19-01 to address disbonding of the aft fuselage (baggage compartment area) outer skin. This condition could result in loss of aft fuselage structural integrity and subsequent loss of control of the helicopter.

Actions Since AD 2018-19-01 Was Issued

Since the FAA issued AD 2018-19-01, it was determined that Model SA-365N helicopters are also affected by the unsafe condition. In addition, it was determined the repetitive inspection interval can be extended under certain conditions.

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2019-0080, dated April 3, 2019 (EASA AD 2019-0080) (also referred to as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for all Airbus Helicopters Model AS-365N2, AS 365 N3, EC 155B, EC155B1, SA-365N, and SA-365N1 helicopters.

This proposed AD was prompted by the determination that Model SA-365N helicopters are also affected by the unsafe condition. The FAA is proposing this AD to address disbonding of the aft fuselage outer skin. This condition could result in loss of aft fuselage structural integrity and subsequent loss of control of the helicopter. See the MCAI for additional background information.

Related Service Information Under 1 CFR Part 51

EASA AD 2019-0080 describes procedures for repetitive inspections of the aft fuselage outer skin for Model AS-365N2, AS 365 N3, EC 155B, EC155B1, SA-365N, and SA-365N1 helicopters.

Airbus Helicopters ASB No. SA366-05.48, Revision 1, dated March 27, 2019, describes procedures for repetitive inspections of the aft fuselage outer skin for Model SA366-G1 helicopters.

This proposed AD would also require Airbus Helicopters ASB No. SA366-05.48, Revision 0, dated July 21, 2017, which the Director of the Federal Register approved for incorporation by reference as of October 22, 2018 (83 FR 46862, September 17, 2018).

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 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 the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Explanation of Retained Requirements

Although this proposed AD does not explicitly restate the requirements of AD 2018-19-01, this proposed AD would retain all of the requirements of AD 2018-19-01. Those requirements are referenced in EASA AD 2019-0080, which, in turn, is referenced in paragraph (g) of this proposed AD.

Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in EASA AD 2019-0080 described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD and except as discussed under “Differences Between this Proposed AD and the MCAI.”

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 2019-0080 will be incorporated by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2019-0080 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 2019-0080 that is required for compliance with EASA AD 2019-0080 will be available on the Internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-1018 after the FAA final rule is published.

Differences Between this Proposed AD and the MCAI

The applicability of EASA AD 2019-0080 does not include Airbus Helicopters Model SA-366G1 helicopters. Those helicopters are no longer listed on the EASA type

certificate data sheet (TCDS); however, they are still listed on the U.S. TCDS and are affected by the unsafe condition. Therefore, the FAA has included Airbus Helicopters Model SA-366G1 helicopters in the applicability of this proposed AD.

Costs of Compliance

The FAA estimates that this proposed AD affects 52 helicopters of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

Estimated costs for required actions

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
4 work-hours X \$85 per hour = \$340	\$0	\$340	\$17,680

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on the results of any required actions. The FAA has no way of determining the number of helicopters that might need these on-condition actions:

Estimated costs of on-condition actions

Labor cost	Parts cost	Cost per product
Up to 10 work-hours X \$85 per hour = \$850	Up to \$20,000	\$20,850

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) 2018-19-01, Amendment 39-19401 (83 FR 46862, September 17, 2018), and adding the following new AD:

Airbus Helicopters: Docket No. FAA-2020-1018; Project Identifier

MCAI-2020-01383-R.

(a) Comments Due Date

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

(b) Affected Airworthiness Directives (ADs)

This AD removes AD 2018-19-01, Amendment 39-19401 (83 FR 46862, September 17, 2018) (AD 2018-19-01).

(c) Applicability

This AD applies to Airbus Helicopters Model AS-365N2, AS 365 N3, EC 155B, EC155B1, SA-365N, SA-365N1, and SA-366G1 helicopters, certificated in any category, all serial numbers.

(d) Subject

Joint Aircraft System Component (JASC) Code 5300, Fuselage Structure.

(e) Reason

This AD was prompted by aft fuselage (baggage compartment area) outer skin disbonding. The FAA is issuing this AD to address disbonding of the aft fuselage outer skin. This condition could result in loss of aft fuselage structural integrity and subsequent loss of control of the helicopter.

(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, European Union Aviation Safety Agency (EASA) AD 2019-0080, dated April 3, 2019 (EASA AD 2019-0080).

(h) Exceptions to EASA AD 2019-0080

(1) Where EASA AD 2019-0080 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2019-0080 refers to September 19, 2017 (the effective date of EASA AD 2017-0165), this AD requires using October 22, 2018 (the effective date of AD 2018-19-01).

(3) For Airbus Helicopters Model SA-366G1 helicopters: Where EASA AD 2019-0080 refers to “the instructions of the applicable ASB,” use Airbus Helicopters ASB No. SA366-05.48, Revision 0, dated July 21, 2017; or Airbus Helicopters ASB No. SA366-05.48, Revision 1, dated March 27, 2019.

(4) Where EASA AD 2019-0080 refers to Group 1 helicopters, for this AD, Model SA-366G1 helicopters are considered Group 1 helicopters.

(5) Paragraph (5) of EASA AD 2019-0080 specifies to “contact AH [Airbus Helicopters] for approved skin panel repair or replacement instructions and accomplish those instructions accordingly.” For this AD, for any repair or replacement of the panel done before the effective date of this AD, it is not required to contact Airbus Helicopters. For any repair or replacement of the panel done on or after the effective date of this AD, the repair or replacement must be done using a method approved by the Manager, Rotorcraft Standards Branch, FAA. For a repair or replacement method to be approved by the Manager, Rotorcraft Standards Branch, FAA, as required by this paragraph, the Manager’s approval letter must specifically refer to this AD.

(6) The “Remarks” section of EASA AD 2019-0080 does not apply to this AD.

(7) Where EASA AD 2019-0080 refers to flight hours (FH), this AD requires using hours time-in-service.

(i) Alternative Methods of Compliance (AMOCs)

The Manager, Rotorcraft Standards Branch, FAA, may approve AMOCs for this AD. Send your proposal to: Manager, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone 817-222-5110; email 9-ASW-FTW-AMOC-Requests@faa.gov.

(j) Related Information

(1) For EASA AD 2019-0080, 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, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call 817-222-5110. 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-2020-1018.

(2) For more information about this AD, contact Kathleen Arrigotti, Aviation Safety Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3218; email kathleen.arrigotti@faa.gov.

Issued on November 4, 2020.

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

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