



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2020-0973; Project Identifier MCAI-2020-01113-T]

RIN 2120-AA64

Airworthiness Directives; ATR-GIE Avions de Transport Régional Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM); reopening of comment period.

SUMMARY: The FAA is revising an earlier proposal to supersede Airworthiness Directives (AD) 2000-23-04 R1 and AD 2018-20-14, which apply to certain ATR-GIE Avions de Transport Régional Model ATR42-500 airplanes. This action revises the notice of proposed rulemaking (NPRM) by including new or more restrictive airworthiness limitations. The FAA is proposing this AD to address the unsafe condition on these products. Since this action would impose an additional burden over those in the NPRM, the FAA is reopening the comment period to allow the public the chance to comment on these changes.

DATES: The comment period for the NPRM published in the *Federal Register* on October 29, 2020 (85 FR 68503), is reopened.

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 material that will be incorporated by reference (IBR) in this AD, contact the European Union Aviation Safety Agency (EASA), Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; 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>. For ATR-GIE service information identified in this proposed rule, contact ATR – GIE Avions de Transport Régional, 1 Allée Pierre Nadot, 31712 Blagnac Cedex, France; telephone +33 (0) 5 62 21 62 21; fax +33 (0) 5 62 21 67 18; email continued.airworthiness@atr-aircraft.com; <http://www.atr-aircraft.com>. You may view this IBR material 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. It is also available in the AD docket on the Internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0973.

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-2020-0973; 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 SNPRM, 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: Shahram Daneshmandi, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3220; email Shahram.Daneshmandi@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-2020-0973; Project Identifier MCAI-2020-01113-T” 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 the 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 proposed AD.

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 Shahram Daneshmandi, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3220; email Shahram.Daneshmandi@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Discussion

The FAA issued AD 2000-23-04 R1, Amendment 39-12174 (66 FR 19381, April 16, 2001) (AD 2000-23-04 R1) and AD 2018-20-14, Amendment 39-19448 (83 FR 52123, October 16, 2018) (AD 2018-20-14). ADs 2000-23-04 R1 and 2018-20-14 require actions to address an unsafe condition on certain ATR-GIE Avions de Transport Régional Model ATR42-500 airplanes. ADs 2000-23-04 R1 and 2018-20-14 require revising the maintenance or inspection program, as applicable, to incorporate new and/or more restrictive maintenance requirements and airworthiness limitations.

The FAA issued an NPRM to amend 14 CFR part 39 by adding an AD to supersede AD 2000-23-04 R1 and AD 2018-20-14 that would apply to certain ATR-GIE Avions de Transport Régional Model ATR42-500 airplanes. The NPRM published in the *Federal Register* on October 29, 2020 (85 FR 68503) (the NPRM). The NPRM was prompted by a determination that new or more restrictive airworthiness limitations are necessary, as specified in EASA AD 2020-0136, dated June 18, 2020 (EASA AD 2020-0136).

Actions Since the NPRM Was Issued

Since the FAA issued the NPRM, the FAA has determined that new or more restrictive airworthiness limitations are necessary.

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2020-0263, dated December 1, 2020 (EASA AD 2020-0263) (also referred to as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for all Model ATR 42-400 and ATR 42-500 airplanes. EASA AD 2020-0263 supersedes EASA AD 2020-0136. Model ATR 42-400 airplanes are not certificated by the FAA and are not included on the U.S. type certificate data sheet; this AD therefore does not include those airplanes in the applicability. EASA AD 2020-0263 refers to ATR ATR42-400/-500, Time Limits Document (TL), Revision 14, dated July 7, 2020. Airplanes with an original airworthiness certificate or original export certificate of airworthiness issued after July 7, 2020, must comply with the airworthiness limitations specified as part of the approved type design and referenced on the type certificate data sheet; this AD, therefore, does not include those airplanes in the applicability.

This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is proposing this AD to address reduced structural integrity of the airplane. See the MCAI for additional background information.

Related Service Information under 1 CFR Part 51

EASA AD 2020-0263 describes new or more restrictive airworthiness limitations for airplane structures and safe life limits.

This proposed AD would also require the following service information, which the Director of the Federal Register approved for incorporation by reference as of November 20, 2018 (83 FR 52123, October 16, 2018).

- ATR ATR42-400/-500, Time Limits Document (TL), Revision 11, dated May 5, 2015.

- ATR ATR42-400/-500 Time Limits Temporary Revision TR01/17, dated May 3, 2017.

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.

Comments

The FAA gave the public the opportunity to participate in developing this proposed AD. The FAA received no comments on the NPRM or on the determination of the cost to the public.

FAA's Determination and Requirements of This SNPRM

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 and service information 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.

Certain changes described above expand the scope of the NPRM. As a result, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this SNPRM.

Proposed AD Requirements

This proposed AD would retain the requirements of AD 2018-20-14. This proposed AD would also require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations,

which are specified in EASA AD 2020-0263 described previously, as incorporated by reference. Any differences with EASA AD 2020-0263 are identified as exceptions in the regulatory text of this AD.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (e.g., inspections) and Critical Design Configuration Control Limitations (CDCCLs). Compliance with these actions and CDCCLs 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 (n)(1) of this proposed AD.

Costs of Compliance

The FAA estimates that this proposed AD affects 9 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

The FAA estimates the total cost per operator for the retained actions from AD 2018-20-14 to be \$7,650 (90 work-hours x \$85 per work-hour).

The FAA has determined that revising the existing maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. In the past, the agency has estimated that this action takes 1 work-hour per airplane. 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.

The FAA estimates the total cost per operator for the new proposed actions 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:

a. Removing Airworthiness Directive (AD) 2000-23-04 R1, Amendment 39-12174 (66 FR 19381, April 16, 2001); and AD 2018-20-14, Amendment 39-19448 (83 FR 52123, October 16, 2018); and

b. Adding the following new AD:

ATR-GIE Avions de Transport Régional: Docket No. FAA-2020-0973; Project Identifier MCAI-2020-01113-T.

(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)

(1) This AD replaces AD 2000-23-04 R1, Amendment 39-12174 (66 FR 19381, April 16, 2001) (AD 2000-23-04 R1); and AD 2018-20-14, Amendment 39-19448 (83 FR 52123, October 16, 2018) (AD 2018-20-14).

(2) This AD affects AD 2008-04-19 R1, Amendment 39-16069 (74 FR 56713, November 3, 2009) (AD 2008-04-19 R1); and AD 2015-26-09, Amendment 39-18357 (81 FR 1483, January 13, 2016) (AD 2015-26-09).

(c) Applicability

This AD applies to ATR-GIE Avions de Transport Régional Model ATR42-500 airplanes, certificated in any category, with an original airworthiness certificate or original export certificate of airworthiness dated on or before July 7, 2020.

(d) Subject

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

(e) Reason

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to prevent reduced structural integrity of the airplane.

(f) Compliance

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

(g) Retained Maintenance or Inspection Program Revision, With No Changes

This paragraph restates the requirements of paragraph (g) of AD 2018-20-14, with no changes. For airplanes with an original airworthiness certificate or original export certificate of airworthiness dated on or before May 3, 2017: Within 90 days after November 20, 2018 (the effective date of AD 2018-20-14), revise the maintenance or inspection program, as applicable, to incorporate the information specified in ATR ATR42-400/-500, Time Limits Document (TL), Revision 11, dated May 5, 2015; and ATR ATR42-400/-500 Time Limits Temporary Revision TR01/ 17, dated May 3, 2017. The initial compliance time for accomplishing the tasks is at the applicable times specified in ATR ATR42-400/-500, Time Limits Document (TL), Revision 11, dated May 5, 2015; and ATR ATR42-400/-500 Time Limits Temporary Revision TR01/17, dated May 3, 2017; or within 90 days after the November 20, 2018; whichever occurs

later, except for those certification maintenance requirement (CMR) tasks identified in figure 1 to paragraphs (g) and (h) of this AD.

Figure 1 to paragraphs (g) and (h) – *Grace period for CMR tasks*

CMR/Maintenance Significant Item (MSI) Task	Compliance Time
213100-2A	Within 550 flight hours or 90 days, whichever occurs first, after November 20, 2018 (the effective date of AD 2018-20-14).
213100-2B	
213100-3A	
213100-3B	

(h) Retained Initial Compliance Times for Certain CMR Tasks, With No Changes

This paragraph restates the requirements of paragraph (h) of AD 2018-20-14, with no changes. For the CMR tasks listed in figure 1 to paragraphs (g) and (h) of this AD, the initial compliance time for accomplishing the tasks is at the applicable time specified in ATR ATR42-400/-500 Time Limits Temporary Revision TR01/17, dated May 3, 2017; or within the compliance time specified in figure 1 to paragraphs (g) and (h) of this AD; whichever occurs later.

(i) Retained Restrictions on Alternative Actions, Intervals, and Critical Design Configuration Control Limitations (CDCCLs), With a New Exception.

This paragraph restates the requirements of paragraph (i) of AD 2018-20-14, with a new exception. Except as required by paragraph (l) of this AD, after the maintenance or inspection program, as applicable, has been revised as required by paragraph (g) 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 (n)(1) of this AD.

(j) New Maintenance or Inspection Program Revision

Except as specified in paragraph (k) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2020-0263, dated December 1, 2020 (EASA AD 2020-0263). Accomplishing the maintenance or inspection program revision required by this paragraph terminates the requirements of paragraph (g) of this AD.

(k) Exceptions to EASA AD 2020-0263

(1) The requirements specified in paragraphs (1) and (2) of EASA AD 2020-0263 do not apply to this AD.

(2) Paragraph (3) of EASA AD 2020-0263 specifies revising “the approved AMP” within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after the effective date of this AD.

(3) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2020-0263 is at the applicable “thresholds” as incorporated by the requirements of paragraph (3) of EASA AD 2020-0263, or within 90 days after the effective date of this AD, whichever occurs later.

(4) The provisions specified in paragraphs (4) and (5) of EASA AD 2020-0263 do not apply to this AD.

(5) The “Remarks” section of EASA AD 2020-0263 does not apply to this AD.

(l) New Provisions for Alternative Actions, Intervals, and CDCCLs

After the maintenance or inspection program has been revised as required by paragraph (j) of this AD, no alternative actions (e.g., inspections), intervals, and CDCCLs

are allowed unless they are approved as specified in the provisions of the “Ref. Publications” section of EASA AD 2020-0263.

(m) Terminating Action for Other ADs

Accomplishing the actions required by paragraph (g) or (j) of this AD terminates all requirements of the ADs specified in paragraphs (m)(1) and (2) of this AD for ATR–GIE Avions de Transport Régional Model ATR42-500 airplanes only.

(1) AD 2008-04-19 R1.

(2) AD 2015-26-09.

(n) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, Large Aircraft Section, International Validation 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 responsible Flight Standards Office, as appropriate. If sending information directly to the Large Aircraft Section, International Validation Branch, send it to the attention of the person identified in paragraph (o)(4) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(i) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(ii) AMOCs approved previously for AD 2018-20-14 are approved as AMOCs for the corresponding provisions of EASA AD 2020-0263 that are required by paragraph (j) 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, Large Aircraft Section, International Validation Branch, FAA;

or EASA; or ATR-GIE Avions de Transport Régional's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(o) Related Information

(1) For information about EASA AD 2020-0263, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; 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>.

(2) For service information identified in this AD, contact ATR - GIE Avions de Transport Régional, 1 Allée Pierre Nadot, 31712 Blagnac Cedex, France; telephone +33 (0) 5 62 21 62 21; fax +33 (0) 5 62 21 67 18; email continued.airworthiness@atr-aircraft.com; <http://www.atr-aircraft.com>.

(3) You may view this material 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. 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-2020-0973.

(4) For more information about this AD, contact Shahram Daneshmandi,
Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200
South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3220; email
Shahram.Daneshmandi@faa.gov.

Issued on February 12, 2021.

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

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