



## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2020-0859; Product Identifier 2020-NM-084-AD; Amendment 39-21413; AD 2021-03-10]

RIN 2120-AA64

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

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Bombardier, Inc., Model BD-100-1A10 airplanes. This AD was prompted by reports of failure of a certain fire detection and extinguishing (FIREX) control unit. This AD requires replacing FIREX control units having a certain part number. The FAA is 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 Bombardier, Inc., 200 Côte Vertu Road West, Dorval, Québec H4S 2A3, Canada; North America toll-free telephone 1-866-538-1247 or direct-dial telephone 1-514-855-2999; email [ac.yul@aero.bombardier.com](mailto:ac.yul@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. It is also available on the Internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0859.

### **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-2020-0859; 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 final rule, any comments received, and other information. The address for Docket Operations is 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:** Siddeeq Bacchus, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7362; fax 516-794-5531; email [9-avs-nyaco-cos@faa.gov](mailto:9-avs-nyaco-cos@faa.gov).

### **SUPPLEMENTARY INFORMATION:**

#### **Discussion**

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued TCCA AD CF-2020-12, dated April 17, 2020 (TCCA AD CF-2020-12) (also referred to as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for certain Bombardier, Inc., Model BD-100-1A10 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-2020-0859.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Bombardier, Inc., Model BD-100-1A10 airplanes. The NPRM published in the *Federal Register* on October 1, 2020 (85 FR

61881). The NPRM was prompted by reports of failure of a certain FIREX control unit. The NPRM proposed to require replacing FIREX control units having a certain part number. The FAA is issuing this AD to address the failure of a FIREX control unit, which could result in the loss of the ability to detect a fire. See the MCAI for additional background information.

### **Comment**

The FAA gave the public the opportunity to participate in developing this final rule. The following presents the comment received on the NPRM and the FAA's response to that comment.

### **Request to Allow Records Review**

NetJets requested that paragraph (i) of the proposed AD be revised to allow operators to review airplane maintenance records to determine the part number of the FIREX control unit installed on an airplane. The commenter stated that for the airplane having serial number (S/N) 20662 the logbook delivery document specifies that the -3 FIREX control unit is installed. The commenter explained that there is not a signoff sheet for Bombardier Service Bulletin 350-26-001, but that the serialized parts list clearly indicates that the -3 FIREX control unit is installed.

The FAA disagrees with the commenter's request because this AD does not mandate the method an operator must use to determine what FIREX control unit part number is installed on an airplane. As specified in paragraph (c) of this AD, this AD is only applicable to Bombardier, Inc., Model BD-100-1A10 airplanes fitted with FIREX control unit part number (P/N) 474112-2. If an operator is able to confirm that FIREX control unit P/N 474112-3 is installed on an airplane the requirements of this AD are not applicable to that airplane. This AD requires operators to remove FIREX P/N 474112-2 and install P/N 474112-3. The FAA has not changed this AD in regard to this issue.

## Conclusion

The FAA reviewed the relevant data, considered the comment received, and determined that air safety and the public interest require adopting this final rule as proposed, except for minor editorial changes. The FAA has determined that these minor changes:

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

## Related Service Information under 1 CFR Part 51

Bombardier has issued Service Bulletin 100-26-01, Revision 01, dated December 5, 2019; and Service Bulletin 350-26-001, Revision 01, dated December 5, 2019. This service information describes procedures for replacing FIREX control units having P/N 474112-2 with units having P/N 474112-3. These documents are distinct since they apply to different airplane configurations. 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

The FAA estimates that this AD affects 223 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

### Estimated costs for required actions

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour X \$85 per hour = \$85	\$6,389	\$6,474	\$1,443,702

According to the manufacturer, some or all of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected operators. The

FAA does not control warranty coverage for affected operators. As a result, the FAA has included all known costs in the cost estimate.

### **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**

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) 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.

## **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:

**2021-03-10 Bombardier, Inc.:** Amendment 39-21413; Docket No. FAA-2020-0859; Product Identifier 2020-NM-084-AD.

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

This airworthiness directive (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 Bombardier, Inc., Model BD-100-1A10 airplanes, certificated in any category, serial numbers 20003 through 20500 inclusive, and 20501 through 20669 inclusive, fitted with fire detection and extinguishing (FIREX) control unit part number (P/N) 474112-2.

#### **(d) Subject**

Air Transport Association (ATA) of America Code 26, Fire protection.

#### **(e) Reason**

This AD was prompted by reports of failure of a certain FIREX control unit. The FAA is issuing this AD to address failure of a FIREX control unit, which could result in the loss of the ability to detect a fire.

**(f) Compliance**

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

**(g) Replacement**

Within 24 months after the effective date of this AD: Replace any FIREX control unit having P/N 474112-2 with a unit having P/N 474112-3, in accordance with paragraphs 2.B.(1) and (3) of the Accomplishment Instructions of the applicable Bombardier service bulletin specified in paragraphs (g)(1) and (2) of this AD.

(1) For airplanes having serial numbers 20003 through 20500 inclusive: Bombardier Service Bulletin 100-26-01, Revision 01, dated December 5, 2019.

(2) For airplanes having serial numbers 20501 through 20669 inclusive: Bombardier Service Bulletin 350-26-001, Revision 01, dated December 5, 2019.

**(h) Parts Installation Prohibition**

As of the effective date of this AD, no person may install a FIREX control unit having P/N 474112-2 on any airplane.

**(i) Credit for Previous Actions**

This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Bombardier Service Bulletin 100-26-01, dated December 20, 2016; or Bombardier Service Bulletin 350-26-001, dated December 20, 2016, as applicable.

**(j) 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 Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

**(k) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) TCCA AD CF-2020-12, dated May 1, 2020, for related information. This MCAI may be found in the AD docket on the internet at [https:// www.regulations.gov](https://www.regulations.gov) by searching for and locating Docket No. FAA-2020-0859.

(2) For more information about this AD, contact Siddeeq Bacchus, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7362; fax 516-794-5531; email 9-avs-nyaco-cos@faa.gov.

**(l) 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) Bombardier Service Bulletin 100-26-01, Revision 01, dated December 5, 2019.



(ii) Bombardier Service Bulletin 350-26-001, Revision 01, dated December 5, 2019.

(3) For service information identified in this AD, contact Bombardier, Inc., 200 Côte Vertu Road West, Dorval, Québec H4S 2A3, Canada; North America toll-free telephone 1-866-538-1247 or direct-dial telephone 1-514-855-2999; email [ac.yul@aero.bombardier.com](mailto:ac.yul@aero.bombardier.com); Internet <https://www.bombardier.com>.

(4) 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.

(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, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

(6) 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.

(7) 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, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on January 28, 2021.

Gaetano A. Sciortino, Deputy Director for Strategic Initiatives,  
Compliance & Airworthiness Division,  
Aircraft Certification Service.

[FR Doc. 2021-03600 Filed: 2/23/2021 8:45 am; Publication Date: 2/24/2021]