



## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2020-0977; Project Identifier MCAI-2020-01106-T;**

**Amendment 39-21415; AD 2021-03-12]**

**RIN 2120-AA64**

**Airworthiness Directives; Dassault Aviation Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is superseding Airworthiness Directive (AD) 2019-03-27, which applied to all Dassault Aviation Model Falcon 10 airplanes. AD 2019-03-27 required repetitive detailed inspections of certain wing anti-ice outboard flexible hoses, and replacement of certain wing anti-ice outboard flexible hoses. This AD continues to require the actions in AD 2019-03-27, and also adds a new life limit for the improved wing anti-ice flexible hose; as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. This AD was prompted by a report indicating that certain wing anti-ice outboard flexible hoses were found damaged, likely resulting from the installation process, and the development of an improved wing anti-ice flexible hose. 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 a certain publication listed in this AD as of [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** For material incorporated by reference (IBR) in this AD, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +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>. 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-2020-0977.

#### **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-2020-0977; 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:** Tom Rodriguez, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3226; email: [tom.rodriguez@faa.gov](mailto:tom.rodriguez@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Discussion**

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2020-0127, dated June 4, 2020 (EASA AD 2020-0127)

(also referred to as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for all Dassault Aviation Model Falcon 10 airplanes.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2019-03-27, Amendment 39-19579 (84 FR 7801, March 5, 2019) (AD 2019-03-27). AD 2019-03-27 applied to all Dassault Aviation Model Falcon 10 airplanes. The NPRM published in the *Federal Register* on November 2, 2020 (85 FR 69269). The NPRM was prompted by a report indicating that certain wing anti-ice outboard flexible hoses were found damaged, likely resulting from the installation process, and the development of an improved wing anti-ice flexible hose. The NPRM proposed to continue to require the actions in AD 2019-03-27, as specified in an EASA AD. The NPRM also proposed to require adding a new life limit for the improved wing anti-ice flexible hose, as specified in EASA AD 2020-0127.

The FAA is issuing this AD to address damaged wing anti-ice outboard flexible hoses, which could lead to a loss of performance of the wing anti-ice protection system that is not annunciated to the pilot, and could result in reduced control of the airplane. See the MCAI for additional background information.

### **Comments**

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

### **Conclusion**

The FAA reviewed the relevant data 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**

EASA AD 2020-0127 describes procedures for repetitive detailed inspections of certain wing anti-ice outboard flexible hoses, replacement of certain wing anti-ice outboard flexible hoses, a new life limit for certain wing anti-ice outboard flexible hoses, and optional terminating actions for the repetitive inspections (replacement of all damaged affected wing anti-ice outboard flexible hoses or accomplishing and passing an inspection on an affected wing anti-ice outboard flexible hose after it has accumulated 100 flight cycles since installation on an airplane). 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.

**Costs of Compliance**

The FAA estimates that this AD affects 54 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

**Estimated costs for required actions**

<b>Action</b>	<b>Labor cost</b>	<b>Parts cost</b>	<b>Cost per product</b>	<b>Cost on U.S. operators</b>
Retained actions from AD 2019-03-27	9 work-hours X \$85 per hour = \$765	\$0	\$765	\$41,310
New proposed actions	9 work-hours X \$85 per hour = \$765	\$316	\$1,081	\$58,374

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

## Estimated costs of on-condition actions

Labor cost	Parts cost	Cost per product
9 work-hours X \$85 per hour = \$765	\$316	\$1,081

### 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:

a. Removing Airworthiness Directive (AD) 2019-03-27, Amendment 39-19579 (84 FR 7801, March 5, 2019), and

b. Adding the following new airworthiness directive:

**2021-03-12 Dassault Aviation:** Amendment 39-21415; Docket No. FAA-2020-0977; Project Identifier MCAI-2020-01106-T.

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

This airworthiness directive (AD) is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

#### **(b) Affected AD**

This AD replaces AD 2019-03-27, Amendment 39-19579 (84 FR 7801, March 5, 2019) (AD 2019-03-27).

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

This AD applies to all Dassault Aviation Model Falcon 10 airplanes, certificated in any category.

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

Air Transport Association (ATA) of America Code 30, Ice and rain protection.

**(e) Reason**

This AD was prompted by a report indicating that certain wing anti-ice outboard flexible hoses were found damaged, likely resulting from the installation process, and the development of an improved wing anti-ice flexible hose. The FAA is issuing this AD to address damaged wing anti-ice outboard flexible hoses, which could lead to a loss of performance of the wing anti-ice protection system that is not annunciated to the pilot, and could result in reduced control of the airplane.

**(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 2020-0127, dated June 4, 2020 (EASA AD 2020-0127).

**(h) Exceptions to EASA AD 2020-0127**

(1) Where EASA AD 2020-0127 refers to February 25, 2019 (the effective date of EASA AD 2019-0040-E, dated February 21, 2019), this AD requires using March 8, 2019 (the effective date of AD 2019-03-27).

(2) Where EASA AD 2020-0127 refers to its effective date, this AD requires using the effective date of this AD.

(3) The “Remarks” section of EASA AD 2020-0127 does not apply to this AD.

(4) Where EASA AD 2020-0127 refers to paragraph (4) of EASA AD 2017-0108 for applicable life limits, for this AD refer to FAA AD 2016-19-07, Amendment 39-18656 (81 FR 63688, September 16, 2016).

**(i) No Reporting Requirement**

Although the service information referenced in EASA AD 2020-0127 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

**(j) 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 (k) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards 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, Large Aircraft Section, International Validation Branch, FAA; or EASA; or Dassault Aviation's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

**(k) Related Information**

For more information about this AD, contact Tom Rodriguez, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3226; email: tom.rodriguez@faa.gov.

**(I) 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.

(3) The following service information was approved for IBR on [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

(i) European Union Aviation Safety Agency (EASA) AD 2020-0127, dated June 4, 2020.

(ii) [Reserved]

(4) For EASA AD 2020-0127, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +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>.

(5) 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-2020-0977.

(6) You may view this material 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.

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

[FR Doc. 2021-03601 Filed: 2/23/2021 8:45 am; Publication Date: 2/24/2021]