

# EMERGENCY AIRWORTHINESS DIRECTIVE



Aircraft Certification Service  
Washington, DC

U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

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**ISSUE DATE: May 8, 2008**

**AD 2008-10-51; Docket No. FAA-2008-0544; Directorate Identifier 2008-NM-099-AD**

Emergency airworthiness directive (AD) 2008-NM-099-AD is sent to all owners and operators of all Dornier Model 328-100 and -300 airplanes.

## **Background**

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, notified the FAA that an unsafe condition may exist on all Dornier Model 328-100 and -300 airplanes. The EASA advises that, during a routine inspection, cracks were found in the lower wing panel of the rear trailing edge (inboard and outboard of flap lever arm 1 (rib 5)) on a Model 328-100 airplane. Subsequent inspection of the other Model 328-100 airplanes in the same fleet revealed several more airplanes with cracks at the same location. The cause of the cracking is unknown. This condition, if not corrected, could result in structural failure of the affected wing panel, possible separation of the wing from the airplane, and consequent loss of control of the airplane.

## **Explanation of Relevant Service Information**

328 Support Services GmbH has issued Dornier Alert Service Bulletins ASB-328J-57-015 (for Model 328-300 airplanes), and ASB-328-57-037 (for Model 328-100 airplanes), both Revision 1, both dated May 8, 2008. The service bulletins describe procedures for detailed visual and eddy current inspections of both the left-hand (LH) and right-hand (RH) lower wing panel of the rear trailing edge (inboard and outboard of flap lever arm 1 (rib 3 and rib 5)) for cracks. The EASA mandated the service bulletins and issued EASA airworthiness directive 2008-0087-E, dated May 8, 2008, to ensure the continued airworthiness of these airplanes in Europe.

## **FAA's Determination and Requirements of this AD**

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, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

Therefore, we are issuing this AD to prevent structural failure of the affected wing panel, possible separation of the wing from the airplane, and consequent loss of control of the airplane. This AD requires accomplishing the actions specified in the applicable service information described

previously, except as discussed under “Differences Between this AD and Service Information.” This AD also requires you to report the inspection results to 328 Support Services GmbH.

### **Differences Between this AD and Service Information**

The service bulletins specify to contact the manufacturer for instructions on how to repair cracks, but this AD would require repairing the cracks using a method approved by the FAA or the EASA (or its delegated agent). In light of the type of repair that would be required to address the unsafe condition, and consistent with existing bilateral airworthiness agreements, we have determined that, for this AD, a repair approved by the FAA or the EASA (or its delegated agent) would be acceptable for compliance with this AD.

Unlike the procedures described in the service bulletins that specify a one-time eddy current inspection, this AD requires the eddy current inspection to be repeated at intervals not to exceed 400 flight hours. Doing the eddy current inspections terminates the detailed visual inspections required by this AD. We have determined that, because of the safety implications and consequences associated with the cracking, the eddy current inspection of the affected area must be repeated. This difference has been coordinated with the EASA.

### **Interim Action**

This AD requires that operators report the results of the inspections to 328 Support Services GmbH. Because the cause of the cracking is not known, these required inspection reports will help determine the extent of the cracking in the affected fleet. Based on the results of these reports, we may determine that further corrective action is warranted.

### **Examining the Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

### **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.

We are 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.

### **Determination of Rule’s Effective Date**

This AD is issued under 49 U.S.C. Section 44701 according to the authority delegated to me by the Administrator, and is effective immediately upon receipt.

**Effective Date**

(a) Emergency airworthiness directive (AD) 2008-10-51, issued on May 8, 2008, is effective immediately upon receipt.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies all Dornier Model 328-100 and -300 airplanes, certificated in any category.

**Unsafe Condition**

(d) This AD results from a report indicating that, during a routine inspection, cracks were found in the lower wing panel of the rear trailing edge (inboard and outboard of flap lever arm 1 (rib 5)) on a Model 328-100 airplane. Subsequent inspection of the other Model 328-100 airplanes in the same fleet revealed several more airplanes with cracks at the same location. We are issuing this AD to prevent structural failure of the affected wing panel, possible separation of the wing from the airplane, and consequent loss of control of the airplane.

**Compliance**

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**Repetitive Detailed Visual Inspections for Cracks**

(f) Within 10 flight cycles, or 10 flight hours, or 7 days, whichever occurs first, after receipt of this AD: Accomplish a detailed visual inspection of both the left-hand (LH) and right-hand (RH) lower wing panel inboard and outboard of flap lever arm 1 (rib 5) for cracks, in accordance with the Accomplishment Instructions of Dornier Alert Service Bulletin ASB-328J-57-015, or ASB-328-57-037, both Revision 1, both dated May 8, 2008; as applicable. If no crack is detected, repeat the detailed visual inspection thereafter at intervals not to exceed 50 flight hours until the eddy current inspection required by paragraph (g) of this AD is accomplished. If any crack is detected, before further flight, do an eddy current inspection in accordance with paragraph (g) of this AD.

## **Repetitive Eddy Current Inspections for Cracks**

(g) Within 400 flight hours or 3 months after receipt of this AD, whichever occurs first: Accomplish an eddy current inspection of both the left-hand (LH) and right-hand (RH) lower wing panel in the vicinity of rib 3 and inboard and outboard of flap lever arm 1 (rib 5) for cracks, in accordance with the Accomplishment Instructions of Dornier Alert Service Bulletin ASB-328J-57-015, or ASB-328-57-037, both Revision 1, both dated May 8, 2008; as applicable. Repeat the eddy current inspection thereafter at intervals not to exceed 400 flight hours. Accomplishment of the eddy current inspection terminates the detailed visual inspection required by paragraph (f) of this AD.

## **Repair**

(h) If any crack is detected during any inspection required by this AD: Before further flight, repair the crack using a method approved by either the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (or its delegated agent).

## **Credit for Previously Accomplished Actions**

(i) Accomplishment of the actions required by paragraph (f) or (g) of this AD before receipt of this AD in accordance with Dornier Alert Service Bulletin ASB-328J-57-015 or ASB-328-57-037, both dated May 5, 2008, as applicable, is considered acceptable for compliance with the corresponding initial inspection requirements specified in paragraph (f) or (g) of this AD.

## **Report**

(j) At the applicable time specified in paragraph (j)(1) or (j)(2) of this AD: Send 328 Support Services GmbH a report of findings (both positive and negative) found during each inspection required by paragraphs (f) and (g) of this AD. The report must include the inspection results, a description of any cracks found, the airplane serial number, and the number of landings and flight hours on the airplane. Send the report to 328 Support Services GmbH, Global Support Center, P.O. Box 1252, D-82231 Wessling, Federal Republic of Germany; Telephone +49 8153 88111 6666; fax 49 8153 88111 6565; Email: gsc.op@328support.de. Under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Office of Management and Budget (OMB) has approved the information collection requirements contained in this AD and has assigned OMB Control Number 2120-0056.

(1) For any inspection done after receipt of this AD: Within 3 days after the inspection.

(2) For any inspection done before receipt of this AD: Within 3 days after receipt of this AD.

## **Special Flight Permits**

(k) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be done if the following conditions are met:

(1) The initial inspection required by paragraph (f) of this AD must be accomplished.

(2) If a crack indication exceeds 12.5 mm (0.49 inch), the Manager, International Branch, ANM-116, concurs with issuance of the special flight permits.

## **Alternative Methods of Compliance (AMOCs)**

(l) The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Mike Borfitz, Aerospace Engineer, International Branch, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-2677; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

## **Related Information**

(m) European Aviation Safety Agency airworthiness directive 2008-0087-E, dated May 8, 2008, also addresses the subject of this AD.

## **Contact Information**

(n) For technical information about this AD, contact: Mike Borfitz, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-2677; fax (425) 227-1149. For service information identified in this AD, contact 328 Support Services GmbH, P.O. Box 1252, D-82231 Wessling, Germany.

Issued in Renton, Washington, on May 8, 2008.

Original Signed By:

Michael J. Kaszycki,  
Acting Manager,  
Transport Airplane Directorate,  
Aircraft Certification Service.