

[Federal Register Volume 76, Number 156 (Friday, August 12, 2011)]
[Rules and Regulations]
[Pages 50113-50115]
From the Federal Register Online via the Government Printing Office [www.gpo.gov]
[FR Doc No: 2011-20359]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2011-0305; Directorate Identifier 2010-NM-186-AD; Amendment 39-16766; AD 2011-17-02]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A320-214, -232, and -233 Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

* * * * *

Results from a design review done by AIRBUS for documentation update have revealed that, on post-mod 38310 A320 aeroplanes only, in case of emergency electrical configuration combined with a Green and Yellow hydraulic system loss, during landing phase (nose landing gear extended), the roll control would only be provided by the left aileron.

This condition, if not corrected, could lead to an asymmetrical landing configuration, resulting in reduced control of the aeroplane.

* * * * *

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective September 16, 2011.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of September 16, 2011.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1405; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the Federal Register on April 8, 2011 (76 FR 19714). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

In 2007, Airbus modification 38310 was introduced in production to simplify the ELAC2 [elevator aileron computer] and Trimmable Horizontal Stabiliser (THS) Motor 1 stand by power supply logic.

Results from a design review done by AIRBUS for documentation update have revealed that, on post-mod 38310 A320 aeroplanes only, in case of emergency electrical configuration combined with a Green and Yellow hydraulic system loss, during landing phase (nose landing gear extended), the roll control would only be provided by the left aileron.

This condition, if not corrected, could lead to an asymmetrical landing configuration, resulting in reduced control of the aeroplane.

For the reasons described above, this [EASA] AD requires a modification of the electrical installation of ELAC2 and THS Motor 1 power supply, restoring the aeroplane to the pre-mod 38310 configuration.

You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

Support for the NPRM

The Air Line Pilots Association, International, supported the NPRM.

Request To Change Costs of Compliance Section of the NPRM

Airbus stated that Airbus Mandatory Service Bulletin A320-27-1199, Revision 02, dated September 20, 2010, specifies that 99 airplanes are affected and that 56 total work hours are needed to do the required actions. Airbus stated that the NPRM specifies that 666 airplanes are affected and that about 35 work-hours are needed to do the actions required in the NPRM.

We infer that Airbus is requesting a change to the Cost of Compliance section of the NPRM to reduce the number of affected airplanes and to increase the estimated work-hours required to perform the actions. We agree. We have confirmed with Airbus that there are 99 Model 320-214, -232, and -233 airplanes with Airbus Modification 38310. We have revised the Costs of Compliance section of this AD to reduce the number of affected airplanes to 99. We have also revised the Costs of

Compliance section of this AD to specify 56 work-hours for the required actions, as specified in Airbus Service Bulletin A320-27-1199, Revision 02, dated September 20, 2010. This estimate includes the time required for testing, accessing, and closing.

Conclusion

We reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD as proposed.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are highlighted in a NOTE within the AD.

Costs of Compliance

We estimate that this AD will affect 99 products of U.S. registry. We also estimate that it will take about 56 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$3,370 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$804,870, or \$8,130 per product.

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.

Regulatory Findings

We determined that 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 this AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

Examining the AD 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 the NPRM, 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.

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 AD:



2011-17-02 Airbus: Amendment 39-16766. Docket No. FAA-2011-0305; Directorate Identifier 2010-NM-186-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective September 16, 2011.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Airbus Model A320-214, -232, and -233 airplanes; all manufacturer serial numbers on which Airbus Modification 38310 has been accomplished in production; certificated in any category.

Subject

(d) Air Transport Association (ATA) of America Code 27: Flight Controls.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

* * * * *

Results from a design review done by AIRBUS for documentation update have revealed that, on post-mod 38310 A320 aeroplanes only, in case of emergency electrical configuration combined with a Green and Yellow hydraulic system loss, during landing phase (nose landing gear extended), the roll control would only be provided by the left aileron.

This condition, if not corrected, could lead to an asymmetrical landing configuration, resulting in reduced control of the aeroplane.

* * * * *

Compliance

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

Actions

(g) Within 24 months after the effective date of this AD, modify the electrical installation of the elevator aileron computer and trimmable horizontal stabilizer motor 1 power supply, in accordance

with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A320-27-1199, Revision 02, dated September 20, 2010.

Credit for Actions Accomplished in Accordance With Previous Service Information

(h) Modifications done before the effective date of this AD in accordance with Airbus Service Bulletin A320-27-1199, Revision 01, dated March 4, 2010, are acceptable for compliance with the requirements of paragraph (g) of this AD.

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(i) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): 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. 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 International Branch, send it to ATTN: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1405; fax (425) 227-1149. Information may be e-mailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. 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. The AMOC approval letter must specifically reference this AD.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

Related Information

(j) Refer to MCAI European Aviation Safety Agency (EASA) Airworthiness Directive 2010-0149, dated July 21, 2010; and Airbus Mandatory Service Bulletin A320-27-1199, Revision 02, dated September 20, 2010; for related information.

Material Incorporated by Reference

(k) You must use Airbus Mandatory Service Bulletin A320-27-1199, Revision 02, including Appendix 01, dated September 20, 2010, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Airbus, Airworthiness Office–EAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; e-mail: account.airworth-eas@airbus.com; Internet <http://www.airbus.com>.

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221.

(4) You may also review copies of the 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, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on July 29, 2011.
Ali Bahrami,
Manager, Transport Airplane Directorate,
Aircraft Certification Service.