This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 39
RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.
ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2015–23–13, for all Airbus Model A318, A319, A320, and A321 series airplanes. AD 2015–23–13 currently requires modification of the pin programming of the flight warning computer (FWC) to activate the stop rudder input warning (SRIW) logic; and an inspection to determine the part numbers of the FWC and FAC if necessary. Since we issued AD 2015–23–13, we have determined that, for certain airplanes, additional modification instructions must be accomplished to allow installation of the minimum FWC and FAC configuration compatible with SRIW activation. This proposed AD would, for certain airplanes, also require accomplishment of additional modification instructions to install the minimum FWC and FAC configuration compatible with SRIW activation. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by April 3, 2017.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:
- 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, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email account.airworth-eas@airbus.com; Internet http://www.airbus.com. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket
You may examine the AD docket on the Internet at http://www.regulations.gov by searching for and locating Docket No. FAA–2016–9573; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed 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.

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:

Comments Invited
We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA–2016–9573; Directorate Identifier 2016–NM–149–AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to http://www.regulations.gov, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion
On November 9, 2015, we issued AD 2015–23–13, Amendment 39–18330 (80 FR 73099, November 24, 2015) (“AD 2015–23–13”), for all Airbus Model A318, A319, A320, and A321 series airplanes. AD 2015–23–13 was prompted by a determination that, in specific flight conditions, the allowable load limits on the vertical tail plane could be reached and possibly exceeded. Exceeding allowable load limits could result in detachment of the vertical tail plane. AD 2015–23–13 requires modification of the pin programming of the FWC to activate the SRIW logic; an inspection to determine the part numbers of the FWC and the FAC, and replacement of the FAC if necessary. We issued AD 2015–23–13 to prevent detachment of the vertical tail plane and consequent loss of control of the airplane.

Since we issued AD 2015–23–13, we have determined that, for certain airplanes, additional modification instructions must be accomplished to allow installation of the minimum FWC and FAC configuration compatible with SRIW activation. The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2016–0132, dated July 5, 2016; corrected July 20, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Airbus Model A318, A319, A320, and A321 series airplanes. The MCAI states:

During design reviews that were conducted following safety recommendations related to in-service incidents and one accident on another aircraft type, it has been determined that, in specific flight conditions, the allowable load limits on the vertical tail
plane could be reached and possibly exceeded.

This condition, if not corrected, could lead to in-flight detachment of the vertical tail plane, possibly resulting in loss of control of the aeroplane.

To address this unsafe condition, Airbus developed modifications within the flight augmentation computer (FAC) to reduce the vertical tail plane stress and to activate a conditional aural warning within the flight warning computer (FWC) to further protect against pilot induced rudder doubles.

Consequently, EASA issued AD 2014–0217 (later revised) [which corresponds to FAA AD 2015–23–13] to require installation and activation of the stop rudder input warning (SRIW) logic. In addition, that [EASA] AD required upgrades of the FAC and FWC, to introduce the SRIW logic and SRIW aural capability, respectively. After modification, the [EASA] AD prohibited (re)installation of certain Part Number (P/N) FWC and FAC.

Since EASA AD 2014–0217R1 was issued, Airbus made available additional modification instructions that, for certain aeroplanes, must be accomplished to allow installation of the minimum FAC and FWC configuration compatible with SRIW activation.

For the reasons described above, this [EASA] AD retains the requirements of EASA AD 2014–0217R1, which is superseded, and includes reference to modification instructions, which must be accomplished on certain aeroplanes.

This [EASA] AD is republished to remove a typographical error in Appendix 1 [of the EASA AD].

You may examine the MCAI in the AD docket on the Internet at www.regulations.gov by searching for and locating Docket No. FAA–2016–0973.

Related Service Information Under 1 CFR Part 51

Airbus has issued Service Bulletin A320–22–1480, Revision 03, dated October 13, 2015. This service information describes procedures for modifying the pin programming to activate the SRIW logic.

Airbus has also issued the following service information. The service information describes procedures for replacing FWCs and FACs. These documents are distinct since they apply to different airplane configurations and software packages.


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.

FAA’s Determination and Requirements of This Proposed 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 proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of these same type designs.

Costs of Compliance

We estimate that this proposed AD affects 1,032 airplanes of U.S. registry. The actions required by AD 2015–23–13, and retained in this proposed AD take about 3 work-hours per product, at an average labor rate of $85 per work-hour. Based on these figures, the estimated cost of the actions that are required by AD 2015–23–13 is $255 per product.

We also estimate that it would take about 3 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be $263 per FAC, or $255 per product.

In addition, we estimate that any necessary follow-on actions will take about 6 work-hours (3 work-hours for an FWC and 3 work-hours for a FAC), and require parts costing $88,000 (FAC), for a cost of $88,510 per product. We have no way of determining the number of aircraft that might need these actions.

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 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. Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. 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 removing Airworthiness Directive (AD) 2015–23–13, Amendment 39–18330 (80 FR 73099, November 24, 2015), and adding the following new AD:
Airbus: Docket No. FAA–2016–9573;
Directorate Identifier 2016–NM–149–AD.

(a) Comments Due Date
We must receive comments by April 3, 2017.

(b) Affected ADs

(c) Applicability
This AD applies to the airplanes identified in paragraphs (c)(1) through (c)(4) of this AD, certificated in any category, all manufacturer serial numbers.

(d) Subject
Air Transport Association (ATA) of America Code 22, Auto Flight; 31, Instruments.

(e) Reason
This AD was prompted by a determination that, in specific flight conditions, the allowable load limits on the vertical tail plane could be reached and possibly exceeded. Exceeding allowable load limits could result in detachment of the vertical tail plane. We are issuing this AD to prevent consequent loss of control of the airplane.

(f) Compliance
Comply with this AD within the compliance times specified, unless already done.

(g) Retained Pin Programming Modification, With New Service Information
This paragraph restates the requirements of paragraph (g) of AD 2015–23–13, with new service information. Within 48 months after December 29, 2015 (the effective date of AD 2015–23–13), modify the pin programming to activate the stop rudder input warning (SRIW) logic, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A320–22–1480, Revision 02, dated March 30, 2015; or Airbus Service Bulletin A320–22–1480, Revision 03, dated October 13, 2015. As of the effective date of this AD, use only Airbus Service Bulletin A320–22–1480, Revision 03, dated October 13, 2015.

(h) Retained Inspection To Determine Part Numbers (P/Ns), Flight Warning Computer (FWC) and Flight Augmentation Computer (FAC) Replacement, With New Replacement Part Numbers
This paragraph restates the requirements of paragraph (h) of AD 2015–23–13, with new replacement part numbers. Prior to or concurrently with the actions required by paragraph (g) of this AD: Inspect the part numbers of the FWC and the FAC installed on the airplane. If any FWC or FAC having a part number identified in paragraph (h)(1) or (h)(2) of this AD, as applicable, is installed on an airplane, prior to or concurrently with the actions required by paragraph (g) of this AD, replace all affected FWCs and FACs with a unit having a part number identified in figure 1 to paragraph (h)(3) of this AD, in accordance with the Accomplishment Instructions of the applicable Airbus service information specified in paragraph (i) of this AD. As of the effective date of this AD, use only figure 1 to paragraph (h)(3) of this AD to identify the replacement part numbers.

(i) Parts
This paragraph restates the requirements of paragraph (i) of AD 2015–23–13, with new service information. Within 48 months after December 29, 2015 (the effective date of AD 2015–23–13), modify the pin programming to activate the stop rudder input warning (SRIW) logic, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A320–22–1480, Revision 02, dated March 30, 2015; or Airbus Service Bulletin A320–22–1480, Revision 03, dated October 13, 2015. As of the effective date of this AD, use only Airbus Service Bulletin A320–22–1480, Revision 03, dated October 13, 2015.

(x) 350E015302009 (H2–F5).
(xi) 350E018312020 (H1–E3Q).
(xii) 350E018312019 (H1–E3P).
(xiii) 350E018302009 (H2–F5).
(xiv) 350E018312020 (H1–E3Q).
(xv) 350E018302009 (H2–F5).
(xvi) 350E018312019 (H1–E3P).
(xvii) 350E018302009 (H2–F5).
(xviii) 350E018312019 (H1–E3P).
(xix) 350E018302009 (H2–F5).
(xx) 350E018312019 (H1–E3P).
(xxi) 350E018302009 (H2–F5).
(xxii) 350E018312019 (H1–E3P).
(xxiii) 350E018302009 (H2–F5).
(xxiv) 350E018312019 (H1–E3P).
(xxv) 350E018302009 (H2–F5).
(xxvi) 350E018312019 (H1–E3P).
(xxvii) 350E018302009 (H2–F5).
(xxviii) 350E018312019 (H1–E3P).
(xxix) 350E018302009 (H2–F5).
(xxxx) 350E018312019 (H1–E3P).
(xxxi) 350E018302009 (H2–F5).
(xxxii) 350E018312019 (H1–E3P).
(xxxiii) 350E018302009 (H2–F5).
(xxxiv) 350E018312019 (H1–E3P).
(xxxv) 350E018302009 (H2–F5).
(xxxvi) 350E018312019 (H1–E3P).
(xxxvii) 350E018302009 (H2–F5).
(xxxviii) 350E018312019 (H1–E3P).
(xxxix) 350E018302009 (H2–F5).
(\textit{continued on next page})
This paragraph restates the requirements of paragraph (i) of AD 2015–23–13, with new service information. Do the actions required by paragraph (h) of this AD in accordance with the Accomplishment Instructions of the applicable Airbus service information specified in paragraphs (i)(1) through (i)(10) of this AD.

(2) Airbus Service Bulletin A320–22–1427, Revision 05, including Appendix 01, dated November 24, 2014 (FAC 622 hard B).
(3) Airbus Service Bulletin A320–22–1447, Revision 03, dated April 21, 2015 (FAC CAA02 hard C).

This paragraph restates the requirements of paragraph (j) of AD 2015–23–13, with no changes. An airplane on which Airbus Modification 154473 has been embodied in production is excluded from the requirements of paragraphs (g) and (h) of this AD, provided that within 30 days after December 29, 2015 (the effective date of AD 2015–23–13), an inspection of the part numbers of the FWC and the FAC installed on the airplane is done to determine that no FWC having a part number listed in paragraph (h)(1) of this AD, and no FAC having a part number listed in paragraph (h)(2) of this AD, has been installed on that airplane since date of manufacture. A review of airplane maintenance records is acceptable.

| FAC P/N | B397BAM0621 (621 hard B) | CFM | X | NC | X | NC | X | NC
| FAC P/N | B397BAM0622 (622 hard B) | CFM | X | CFM | NC | X | X | NC
| FAC P/N | B397BAM0623 (623 hard B) | CFM | X | X | X | X | X | X
| FAC P/N | B397BAM0624 (624 hard B) | X | X | X | X | X | X | X
| FAC soft P/N | G2856AA02 installed on hard P/N C13206AA00 (CAA02 hard C) | CFM | X | X | X | X | X | X
| FAC soft P/N | G2856AA03 installed on hard P/N C13206AA00 (CAA03 hard C) | X | X | X | X | X | X | X
| FAC soft P/N | G2856AA04 installed on hard P/N C13206AA00 (CAA04 hard C) | X | X | X | X | X | X | X
| FWC P/N | 350E053021212 (H2–F7) | X | X | X | X | X | X | X
| FWC P/N | 350E053021313 (H2–F8P) | X | X | X | X | X | X | X
| FWC P/N | 350E053021414 (H2–F8) | X | X | X | X | X | X | X

‘X’ mean that the FAC / FWC is compatible with any engine installation for that aeroplane model.
‘CFM’ mean that the FAC / FWC is compatible with CFM engine installation for that aeroplane model.
‘NC’ mean that the FAC / FWC is not compatible with that aeroplane configuration.
in lieu of this inspection if the part numbers of the FWC and FAC can be conclusively determined from that review. If any FWC or FAC having a part number identified in paragraph (h)(1) or (h)(2) of this AD, as applicable, is installed, is on a post Airbus Modification 154473 airplane: Within 30 days after December 29, 2015, do the replacement required by paragraph (h) of this AD.

(k) Retained Parts Installation Prohibitions, With New Requirements

This paragraph restates the parts installation prohibitions specified in paragraph (k) of AD 2015–23–13, with new requirements.

(1) After modification of an airplane as required by paragraphs (g), (h), or (j) of this AD: Do not install on that airplane any FWC having a part number listed in paragraph (h)(1) of this AD or any FAC having a part number listed in paragraph (h)(2) of this AD.

(2) For an airplane that does not have a FWC having a part number listed in paragraph (h)(1) of this AD and does not have a FAC having a part number listed in paragraph (h)(2) of this AD: As of the effective date of this AD, do not install a FWC having a part number listed in paragraph (h)(1) of this AD or a FAC having a part number listed in paragraph (h)(2) of this AD.

(l) Retained Later Approved Parts, With a Different Effective Date

This paragraph restates the requirements of paragraph (l) of AD 2015–23–13, with a different effective date. Installation of a version (part number) of the FWC or FAC approved after March 5, 2015 (the effective date of European Aviation Safety Agency (EASA) AD 2014–0217R1), is an approved method of compliance with the requirements of paragraph (h) or (j) of this AD, provided the requirements specified in paragraphs (l)(1) and (l)(2) of this AD are met.

(1) The version (part number) must be approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or EASA; or Airbus’s EASA Design Organization Approval (DOA).

(2) The installation must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or EASA; or Airbus’s EASA DOA.

(m) Credit for Previous Actions

(1) This paragraph restates the credit provided by paragraph (m)(1) of AD 2015–23–13. This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before December 29, 2015 (the effective date of AD 2015–23–13) using the service information specified in paragraphs (m)(1)(i) or (m)(1)(ii) of this AD.


(2) This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Airbus Service Bulletin A320–22–1480, Revision 02, dated March 30, 2015.

(3) This paragraph restates the credit provided by paragraph (m)(2) of AD 2015–23–13. This paragraph provides credit for actions required by paragraph (i) of this AD, if those actions were performed before December 29, 2015 (the effective date of AD 2015–23–13) using the applicable Airbus service information identified in paragraphs (m)(1)(i) through (m)(3)(xviii) of this AD.


(2) This paragraph provides credit for actions required by paragraph (i) of this AD, if those actions were performed before the effective date of this AD using Airbus Service Bulletin A320–22–1539, dated December 28, 2015.

(n) Other FAA AD Provisions

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, WA 98057–3356; telephone 425–227–1405; fax 425–227–1149. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov.

(i) 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.

(ii) AMOCs approved previously for 2015–23–13, are approved as AMOCs for the corresponding provisions of this AD.

(2) Contacting the Manufacturer: As of the effective date of this AD, for any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the EASA; or Airbus’s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) Required for Compliance (RC): If any service information contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator’s maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(o) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2016–0132, dated July 5, 2016; corrected July 20, 2016; for related information. This MCAI may be found in the AD docket on the Internet at http://www.regulations.gov.

(2) For service information identified in this AD, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email account.airworth-eas@airbus.com; Internet http://www.airbus.com. You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.


Dionne Palermo,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.