[4910-13-P]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2020-0583; Product Identifier 2020-NM-071-AD]

RIN 2120-AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2019-14-09, which applies to all Airbus SAS Model A330-200 Freighter series airplanes. AD 2019-14-09 requires repetitive detailed inspections, including functional testing, of the oxygen crew and courier distribution system (OCCDS) and replacement of affected part(s) if necessary. Since the FAA issued AD 2019-14-09, the FAA has determined that all affected parts must be replaced with improved flexible oxygen hoses in order to address the unsafe condition. This proposed AD would retain the requirements of AD 2019-14-09 and require replacement of all affected parts with improved serviceable parts, which is terminating action for the repetitive inspections, as specified in a European Union Aviation Safety Agency (EASA) AD, which will be incorporated by reference. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

• Federal eRulemaking Portal: Go to https://www.regulations.gov. Follow the instructions for submitting comments.

• Fax: 202-493-2251.

• Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

• 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 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For the material identified in this proposed AD that will be incorporated by reference (IBR), contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 1000; 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-2020-0583.

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-2020-0583; 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 NPRM, any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Vladimir Ulyanov, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3229; email Vladimir.Ulyanov@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-2020-0583; Product Identifier 2020-NM-071-AD" at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this NPRM based on those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to https://www.regulations.gov, including any

personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Vladimir Ulyanov, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Discussion

The FAA issued AD 2019-14-09, Amendment 39-19687 (84 FR 37957, August 5, 2019) ("AD 2019-14-09"), which applies to all Airbus SAS Model A330-200 Freighter series airplanes. AD 2019-14-09 requires repetitive detailed inspections, including functional testing, of the OCCDS and replacement of affected part(s) if necessary. The FAA issued AD 2019-14-09 to address cracked oxygen hoses. This condition, if not addressed, could lead to oxygen leakage in the flexible hose of the OCCDS, which, in

combination with inflight depressurization, smoke in the flight deck, or a smoke evacuation procedure, could result in crew injury and reduced control of the airplane.

Actions Since AD 2019-14-09 was Issued

Since AD 2019-14-09 was issued, improved flexible oxygen hoses were developed, and Airbus issued additional service information providing instructions for modifying an airplane by replacing all affected parts with improved flexible oxygen hoses.

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2020-0092, dated April 24, 2020 ("EASA AD 2020-0092") (also referred to as the Mandatory Continuing Airworthiness Information, or "the MCAI"), to correct an unsafe condition for certain Airbus SAS Model A330-223F and A330-243F airplanes. EASA AD 2020-0092 supersedes EASA AD 2019-0027, dated February 4, 2019 ("EASA AD 2019-0027") (which corresponds to FAA AD 2019-14-09).

EASA AD 2020-0092 clarified the applicability by identifying airplanes having certain serial numbers instead of specifying all airplanes because it was determined that only airplanes having serial numbers identified in Airbus Service Bulletin A330-35-3054, dated September 25, 2018 (which was referred to as the appropriate source of service information for accomplishing the actions specified in EASA AD 2019-0027) are affected by the unsafe condition. The applicability of EASA AD 2020-0092 refers to the same serial numbers as those specified in Airbus Service Bulletin A330-35-3054, dated September 25, 2018.

This proposed AD was prompted by reports of cracked flexible hoses of the OCCDS on Model A330 freighter airplanes and the FAA's determination that all affected parts must be replaced with improved flexible oxygen hoses in order to address the unsafe condition. The FAA is proposing this AD to address cracked oxygen hoses. This condition, if not addressed, could lead to oxygen leakage in the flexible hose of the OCCDS, which, in combination with in-flight depressurization, smoke in the flight deck, or a smoke evacuation procedure, could result in crew injury and reduced control of the airplane. See the MCAI for additional background information.

Explanation of Retained Requirements

Although this proposed AD does not explicitly restate the requirements of AD 2019-14-09, this proposed AD would retain all of the requirements of AD 2019-14-09. Those requirements are referenced in EASA AD 2020-0092, which, in turn, is referenced in paragraph (g) of this proposed AD.

Related IBR Material under 1 CFR Part 51

EASA AD 2020-0092 describes procedures for repetitive detailed inspections, including functional testing, of the OCCDS, replacement of affected part(s) if necessary, and modification of the airplane by replacing all remaining affected parts with improved serviceable parts. 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.

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, the FAA has been notified of the unsafe condition described in the MCAI referenced above. The FAA is proposing this AD because the FAA evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in EASA AD 2020-0092 described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA initially worked with Airbus and EASA to develop a process to use certain EASA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has since coordinated with other manufacturers and civil aviation authorities (CAAs) to use this process.

As a result, EASA AD 2020-0092 will be incorporated by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2020-0092 in its entirety, through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in the EASA AD does not mean that operators need comply only with that section. For example, where the AD requirement refers to "all required actions and compliance times," compliance with this AD requirement is not limited to the section titled "Required Action(s) and Compliance Time(s)" in the EASA AD. Service information specified in EASA AD 2020-0092 that is required for

compliance with EASA AD 2020-0092 will be available on the Internet at https://www.regulations.gov by searching for and locating Docket No. FAA-2020-0583 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this proposed AD affects 6 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

Estimated costs for required actions

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained actions from AD 2019-14-09	14 work-hours X $85 per hour = $1,190	$0	$1,190	$7,140
New proposed actions	Up to 26 work-hours X $85 per hour = $2,210	$9,800	Up to $12,010	$72,060

According to the manufacturer, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. The FAA does not control warranty coverage for affected individuals. As a result, the FAA has included all known costs in our 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

The FAA 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) 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.

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) 2019-14-09, Amendment 39-19687 (84 FR 37957, August 5, 2019), and adding the following new AD:

Airbus SAS: Docket No. FAA-2020-0583; Product Identifier 2020-NM-071-AD.

(a) Comments Due Date

The FAA must receive comments by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

(b) Affected ADs

This AD replaces AD 2019-14-09, Amendment 39-19687 (84 FR 37957, August 5, 2019) ("AD 2019-14-09").

(c) Applicability

This AD applies to Airbus SAS Model A330-223F and -243F airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2020-0092, dated April 24, 2020 ("EASA AD 2020-0092").

(d) Subject

Air Transport Association (ATA) of America Code 35, Oxygen.

(e) Reason

This AD was prompted by reports of cracked flexible hoses of the oxygen crew and courier distribution system (OCCDS) on Model A330 freighter airplanes. The FAA

is proposing this AD to address cracked oxygen hoses. This condition, if not addressed, could lead to oxygen leakage in the flexible hose of the OCCDS, which, in combination with in-flight depressurization, smoke in the flight deck, or a smoke evacuation procedure, could result in crew injury and 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, EASA AD 2020-0092.

(h) Exceptions to EASA AD 2020-0092

(1) Where EASA AD 2020-0092 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2020-0092 refers to February 18, 2019 (the effective date of EASA AD 2019-0027), this AD requires using September 9, 2019 (the effective date of AD 2019-14-09).

(3) The "Remarks" section of EASA AD 2020-0092 does not apply to this AD.

(i) 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 local Flight Standards District 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 (j)(2) of this AD. Information may be emailed 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.

(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 Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC*)*:* For any service information referenced in EASA AD 2020-0092 that contains RC procedures and tests: Except as required by paragraph (i)(2) of this AD, RC 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.

(j) Related Information

(1) For information about EASA AD 2020-0092, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 6017; 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. 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-2020-0583.

(2) For more information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3229; email Vladimir.Ulyanov@faa.gov.

Issued on July 9, 2020.

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

[FR Doc. 2020-15334 Filed: 7/16/2020 8:45 am; Publication Date: 7/17/2020]