

[Federal Register Volume 82, Number 186 (Wednesday, September 27, 2017)]  
[Rules and Regulations]  
[Pages 44895-44898]  
From the Federal Register Online via the Government Publishing Office [www.gpo.gov]  
[FR Doc No: 2017-20112]

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

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

**[Docket No. FAA-2016-9386; Product Identifier 2016-NM-056-AD; Amendment 39-19055; AD 2017-19-25]**

**RIN 2120-AA64**

**Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes**

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

**ACTION:** Final rule.

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**SUMMARY:** We are adopting a new airworthiness directive (AD) for all Airbus Defense and Space S.A. Model CN-235, CN-235-100, CN-235-200, and CN-235-300 airplanes; and Model C-295 airplanes. This AD was prompted by reports of leakage of motorized cross-feed fuel valves. This AD requires repetitive inspections and operational checks of the affected fuel valves, and corrective actions if necessary. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective November 1, 2017.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 1, 2017.

**ADDRESSES:** For service information identified in this final rule, contact Airbus Defense and Space Services/Engineering Support, Avenida de Aragón 404, 28022 Madrid, Spain; telephone +34 91 585 55 84; fax +34 91 585 31 27; email MTA.TechnicalService@airbus.com.; Internet <http://www.eads.net>. You may view this referenced service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-9386.

#### **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-2016-9386; 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 AD, the regulatory evaluation, any comments received, and other information. The street address for the

Docket Office (telephone 800-647-5527) is Docket Management Facility, 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:** Shahram Daneshmandi, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1112; fax 425-227-1149.

**SUPPLEMENTARY INFORMATION:**  
**Discussion**

We issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Defense and Space S.A. Model CN-235, CN-235-100, CN-235-200, and CN-235-300 airplanes; and Model C-295 airplanes. The SNPRM published in the Federal Register on June 21, 2017 (82 FR 28274) (“the SNPRM”). We preceded the SNPRM with a notice of proposed rulemaking that published in the Federal Register on November 25, 2016 (81 FR 85169) (“the NPRM”). The NPRM proposed to require an inspection of motorized cross-feed fuel valves and, depending on findings, applicable corrective action(s). The NPRM was prompted by leakage of a motorized cross-feed fuel valve. The SNPRM proposed to require a reduced compliance time for the initial inspection, the addition of repetitive inspections and operational checks, and corrective actions if necessary. We are issuing this AD to detect and correct leaks in a motorized fuel valve, which could lead to failure of the fuel valve and consequent improper fuel system functioning or, in case of the presence of an ignition source, an airplane fire.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2017-0004, dated January 9, 2017 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Airbus Defense and Space S.A. Model CN-235, CN-235-100, CN-235-200, and CN-235-300 airplanes; and Model C-295 airplanes. The MCAI states:

Leakage of a motorised cross-feed fuel valve Part Number (P/N) 7923227F was reported on a CN-235-100M aeroplane. The leakage was observed through the valve electrical connectors and detected during accomplishment of a functional check in accordance with task 28.007 of the CN-235 Maintenance Review Board Report (MRB CN-235-PV01). Identical motorised fuel valves are installed on civilian CN-235 and C-295 aeroplanes, as cross-feed, shut-off and defueling valves.

This condition, if not detected and corrected, could lead to failure of a motorised fuel valve and consequent improper functioning of the fuel system or, in case of an ignition source, could lead to a fire, possibly resulting in damage to the aeroplane and injury to occupants.

To address this potentially unsafe condition, Airbus Defence & Space (D&S) issued Alert Operators Transmission (AOT)-CN235-28-0001 and AOT-C295-28-0001 to provide inspection instructions.

Consequently, EASA issued AD 2016-0071 to require a one-time inspection of the affected motorised fuel valves and, depending on findings, accomplishment of applicable corrective action(s).

Since that [EASA] AD was issued, new occurrences of fuel leakage involving the affected motorised fuel valves were reported and Airbus D&S issued Revision 1 of

AOT-CN235-28-0001 and Revision 1 of AOT-C295-28-0001 to introduce repetitive inspections and operational checks of the affected motorised fuel valves.

For the reasons described above, this [EASA] AD retains the requirements of EASA AD 2016-0071, which is superseded, and introduces repetitive inspections and operational checks [and corrective actions, if necessary] of the affected fuel valves.

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-9386.

## Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the SNPRM or on the determination of the cost to the public.

## Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting this AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the SNPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the SNPRM.

## Related Service Information Under 1 CFR Part 51

Airbus Defense and Space has issued Alert Operators Transmission (AOT) AOT-C295-28-0001, Revision 1, dated September 27, 2016; and AOT-CN235-28-0001, Revision 1, dated September 27, 2016. This service information describes procedures for repetitive inspections, replacement of the motorized fuel valves, and operational checks and corrective actions on affected motorized fuel valves. These documents are distinct since they apply to different airplane models. 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.

## Costs of Compliance

We estimate that this AD affects 14 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

### Estimated Costs

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection and operational check	3 work-hours × \$85 per hour = \$255	\$0	\$255	\$3,570
Reporting	1 work-hour × \$85 per hour = \$85	0	85	1,190

We estimate the following costs to do any necessary replacements that will be required based on the results of the required inspection. We have no way of determining the number of aircraft that might need these replacements:

### On-Condition Costs

Action	Labor cost	Parts cost	Cost per product
Replacement	5 work-hours × \$85 per hour = \$425	\$38,448	\$38,873

We have received no definitive data that will enable us to provide cost estimates for the on-condition corrective actions for the operational check specified in this AD.

### Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB control number. The control number for the collection of information required by this AD is 2120-0056. The paperwork cost associated with this AD has been detailed in the Costs of Compliance section of this document and includes time for reviewing instructions, as well as completing and reviewing the collection of information. Therefore, all reporting associated with this AD is mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at 800 Independence Ave. SW., Washington, DC 20591, ATTN: Information Collection Clearance Officer, AES-200.

### 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.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

### 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 that 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);
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.

**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 airworthiness directive (AD):



**2017-19-25 Airbus Defense and Space S.A. (Formerly known as Construcciones Aeronauticas, S.A.):** Amendment 39-19055; Docket No. FAA-2016-9386; Product Identifier 2016-NM-056-AD.

**(a) Effective Date**

This AD is effective November 1, 2017.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Airbus Defense and Space S.A. (formerly known as Construcciones Aeronauticas, S.A.) Model CN-235, CN-235-100, CN-235-200, and CN-235-300 airplanes; and Model C-295 airplanes; certificated in any category, all manufacturer serial numbers.

**(d) Subject**

Air Transport Association (ATA) of America Code 28, Fuel.

**(e) Reason**

This AD was prompted by leakage of a motorized cross-feed fuel valve, which was detected during accomplishment of a functional check. We are issuing this AD to detect and correct leaks in a motorized fuel valve, which could lead to failure of the fuel valve and consequent improper fuel system functioning or, in case of the presence of an ignition source, an airplane fire.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Inspection of Motorized Fuel Valves**

Within the applicable compliance time defined in paragraph (g)(1) or (g)(2) of this AD: Do an initial general visual inspection of each motorized fuel valve having part number (P/N) 7923227F for the presence of fuel on the electrical connectors and inside the receptacles, in accordance with the instructions of Airbus Defense and Space Alert Operators Transmission (AOT) AOT-CN235-28-0001, Revision 1; or Airbus Defense and Space AOT AOT-C295-28-0001, Revision 1, both dated September 27, 2016, as applicable. Repeat the inspection thereafter at intervals not to exceed 300 flight hours.

(1) For airplanes that, as of the effective date of this AD, have accumulated 6,000 flight cycles or more since first flight of the airplane: Do the inspection within 30 flight cycles or 30 days after the effective date of this AD, whichever occurs first.

(2) For airplanes that, as of the effective date of this AD, have accumulated less than 6,000 flight cycles since first flight of the airplane: Do the inspection within 300 flight hours or 30 days after the effective date of this AD, whichever occurs later.

**(h) Replacement of Affected Parts**

If, during any inspection required by paragraph (g) of this AD, any leaking of a motorized fuel valve having P/N 7923227F is detected: Before the next flight, replace the affected fuel valve with a serviceable part, in accordance with the instructions of Airbus Defense and Space AOT AOT-CN235-28-0001, Revision 1; or Airbus Defense and Space AOT AOT-C295-28-0001, Revision 1, both dated September 27, 2016, as applicable. A serviceable part is defined as a part that is not defective; it could be a used or new part. Replacement of a motorized fuel valve on an airplane does not constitute terminating action for the repetitive inspections required by paragraph (g) of this AD for that airplane.

**(i) Operational Check**

Within 12 months after the effective date of this AD, and thereafter at intervals not to exceed 12 months, accomplish an operational check of each motorized fuel valve P/N 7923227F, in accordance with the instructions of Airbus Defense and Space AOT AOT-CN235-28-0001, Revision 1; or Airbus Defense and Space AOT AOT-C295-28-0001, Revision 1, both dated September 27, 2016, as applicable.

**(j) Corrective Actions**

If, during any operational check, as required by paragraph (i) of this AD, any discrepancy is detected, as described in Airbus Defense and Space AOT AOT-CN235-28-0001, Revision 1; or Airbus Defense and Space AOT AOT-C295-28-0001, Revision 1, both dated September 27, 2016, as applicable: Before further flight, contact the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or Airbus Defense and Space S.A.'s EASA Design Organization Approval (DOA) to obtain instructions for corrective actions, and within the compliance time indicated in those instructions accomplish the corrective actions accordingly.

**(k) Parts Installation Limitation**

As of the effective date of this AD, replacement of a motorized fuel valve having P/N 7923227F with a serviceable part on an airplane is allowed, provided that, within 30 flight cycles or 30 days, whichever occurs first after installation, the part passes an inspection done in accordance with the instructions of Airbus Defense and Space AOT AOT-CN235-28-0001, Revision 1; or Airbus Defense and Space AOT AOT-C295-28-0001, Revision 1, both dated September 27, 2016, as applicable.

**(l) Credit for Previous Actions**

This paragraph provides credit for actions required by paragraphs (g) and (h) of this AD, if those actions were performed before the effective date of this AD using Airbus Defense and Space AOT AOT-CN235-28-0001; or Airbus Defense and Space AOT AOT-C295-28-0001, both dated February 19, 2016, as applicable.

**(m) Reporting Requirement**

At the applicable time specified in paragraph (m)(1) or (m)(2) of this AD, report all inspection results to Airbus Defense and Space Technical Assistance Center (AMTAC); telephone +34 91 600

79 99; email [mta.technicalservice@airbus.com](mailto:mta.technicalservice@airbus.com). The report must include the inspection results, a description of any discrepancies found, operator name, the airplane model and serial number, valve part number and serial number, and the number of landings and flight hours on the airplane.

(1) If the inspection was done on or after the effective date of this AD: Submit the report within 60 days after the inspection.

(2) If the inspection was done before the effective date of this AD: Submit the report within 60 days after the effective date of this AD.

#### **(n) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Section, Transport Standards 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 International Section, send it to the attention of the person identified in paragraph (o)(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 corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the EASA; or Airbus Defense and Space S.A.'s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) Reporting Requirements: A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES-200.

#### **(o) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2017-0004, dated January 9, 2017, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-9386.

(2) For more information about this AD, contact Shahram Daneshmandi, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1112; fax 425-227-1149.

(3) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (p)(3) and (p)(4) of this AD.

#### **(p) 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.

(i) Airbus Defense and Space Alert Operators Transmission, AOT-C295-28-0001, Revision 1, dated September 27, 2016.

(ii) Airbus Defense and Space Alert Operators Transmission AOT-CN235-28-0001, Revision 1, dated September 27, 2016.

(3) For service information identified in this AD, contact Airbus Defense and Space Services/Engineering Support, Avenida de Aragón 404, 28022 Madrid, Spain; telephone +34 91 585 55 84; fax +34 91 585 31 27; email MTA.TechnicalService@airbus.com.; Internet <http://www.eads.net>.

(4) You may view this service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(5) You may view this 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/cfr/ibr-locations.html>.

Issued in Renton, Washington, on September 14, 2017.

Jeffrey E. Duven,  
Director, System Oversight Division,  
Aircraft Certification Service.