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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

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

**[Docket No. FAA-2020-0330; Product Identifier 2020-NM-031-AD; Amendment 39-21236; AD 2020-18-15]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Airbus SAS Airplanes**

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

**ACTION:** Final rule.

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**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Airbus SAS Model A350-941 and -1041 airplanes. This AD was prompted by a report indicating that when the number 2 engine thrust reverser (T/R) was opened, the right-hand T/R hinge nut located at position 4 was found detached; investigation revealed that certain nuts could have been installed with noncompliant locking features, or with locking features that could degrade quicker than anticipated. This AD requires replacing any existing nut on the T/R hinge with a new nut, installing a new nut and washer if necessary, and applying a torque stripe at each T/R hinge location, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective October 26, 2020.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 26, 2020.

**ADDRESSES:** For the material incorporated by reference (IBR) in this AD, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); internet [www.easa.europa.eu](http://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-2020-0330.

## **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-2020-0330; 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 final rule, any comments received, and other information. The address for Docket Operations is 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:** Kathleen Arrigotti, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3218; email [kathleen.arrigotti@faa.gov](mailto:kathleen.arrigotti@faa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **Discussion**

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2020-0028, dated February 14, 2020 (“EASA AD 2020-0028”) (also referred to as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for certain Airbus SAS Model A350-941 and -1041 airplanes.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Airbus SAS Model A350-941 and -1041 airplanes. The NPRM published in the Federal Register on April 16, 2020 (85 FR 21115). The NPRM was prompted by a report indicating that when the number 2 engine T/R was opened, the right-hand T/R hinge nut located at position 4 was found detached; investigation revealed that certain nuts could have been installed with noncompliant locking features, or with locking features that could degrade quicker than anticipated. The NPRM proposed to require inspecting each T/R hinge for the presence of a nut and washer, installing a new nut and washer if necessary, and applying a torque stripe at each T/R hinge location, as specified in an EASA AD.

The FAA is issuing this AD to address this condition, which, if occurring on multiple hinge attachments, could lead to in-flight loss of a T/R, consequent structural damage to the airplane, and possible injury to persons on the ground. See the MCAI for additional background information.

### **Comments**

The FAA gave the public the opportunity to participate in developing this final rule. The following presents the comments received on the NPRM and the FAA's response to each comment.

### **Support for the NPRM**

The Air Line Pilots Association, International (ALPA), Manikandan Raja, and an anonymous commenter stated support for the NPRM.

### **Request To Exempt Operators From Torque Stripe Requirement**

Delta Airlines (DAL) asked that operators be exempt from applying the torque stripe required by EASA AD 2020-0028 (referenced in the proposed AD as the appropriate source of service information for accomplishing the required actions). DAL stated that there are no mandated requirements in EASA AD 2020-0028 or the service information referenced in EASA AD 2020-0028 for repetitive inspections of the nut or verification for the presence of an intact torque stripe to ensure the nut has not rotated over time. DAL added that the current aircraft maintenance manual (AMM)

instructs operators to apply a torque stripe at the intended locations during routine maintenance. DAL noted that the torque stripe has the potential to degrade over time, which could create a potential noncompliance risk to operators, despite having previously accomplished the requirements in the proposed AD.

The FAA acknowledges that adding the torque stripe is a one-time task with no repeated check; however, the FAA agrees with the state of design that adding it is done to bring the aircraft back to type design. DAL's approved maintenance program should not affect the requirements of this AD. The FAA has not changed this AD in this regard.

**Explanation of Change to AD**

The Reason section of EASA AD 2020-0028 stated that “this AD requires a one-time inspection of the T/R hinge nuts” as one of the proposed requirements. In the FAA NPRM, the FAA added an inspection of the T/R hinge for the presence of nut and washer, in order to more closely correspond to the instructions in the service information referenced in EASA AD 2020-0028. EASA has since advised the FAA that the inspection is unnecessary. The FAA has therefore revised this AD to remove that inspection and to instead require compliance “with all required actions and compliance times specified in, and in accordance with, EASA AD 2020-0028.” The FAA further revised the Summary section to remove the inspection and expand upon the required actions, including possible replacement.

**Conclusion**

The FAA reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this final rule as proposed, except for minor editorial changes. The FAA has determined that these minor changes:

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

**Related IBR Material Under 1 CFR Part 51**

EASA AD 2020-0028 describes procedures for replacing any existing nut on the T/R hinge with a new nut, installing a new nut and washer if neither is installed, and applying a torque stripe at each location. 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.

**Costs of Compliance**

The FAA estimates that this AD affects 13 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

**Estimated Costs for Required Actions**

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Up to 4 work-hours × \$85 per hour = Up to \$340	\$984	Up to \$1,324	Up to \$17,212

According to the manufacturer, some or all of the costs of this 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 the 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**

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) 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.

### **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):



**2020-18-15 Airbus SAS:** Amendment 39-21236; Docket No. FAA-2020-0330; Product Identifier 2020-NM-031-AD.

**(a) Effective Date**

This AD is effective October 26, 2020.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Airbus SAS Model A350-941 and -1041 airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2020-0028, dated February 14, 2020 (“EASA AD 2020-0028”).

**(d) Subject**

Air Transport Association (ATA) of America Code 78, Exhaust.

**(e) Reason**

This AD was prompted by a report indicating that when the number 2 engine thrust reverser (T/R) was opened, the right-hand T/R hinge nut located at position 4 was found detached; investigation revealed that certain nuts could have been installed with noncompliant locking features, or with locking features that could degrade quicker than anticipated. The FAA is issuing this AD to address this condition, which, if occurring on multiple hinge attachments, could lead to in-flight loss of a T/R, consequent structural damage to the airplane, and possible injury to persons on the ground.

**(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 2020-0028.

**(h) Exceptions to EASA AD 2020-0028**

(1) Where EASA AD 2020-0028 refers to its effective date, this AD requires using the effective date of this AD.

(2) The “Remarks” section of EASA AD 2020-0028 does not apply to this AD.

### **(i) No Reporting Requirement**

Although the service information referenced in EASA AD 2020-0028 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

### **(j) 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 (k) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@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, International Section, Transport Standards 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 2020-0028 that contains RC procedures and tests: Except as required by paragraph (j)(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.

### **(k) Related Information**

For more information about this AD, contact Kathleen Arrigotti, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3218; email [kathleen.arrigotti@faa.gov](mailto:kathleen.arrigotti@faa.gov).

### **(l) 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) European Union Aviation Safety Agency (EASA) AD 2020-0028, dated February 14, 2020.

(ii) [Reserved]

(3) For information about EASA 2020-0028, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>.

(4) 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-2020-0330.

(5) You may view this material that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on August 26, 2020.

Gaetano A. Sciortino,

Deputy Director for Strategic Initiatives, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2020-20675 Filed 9-18-20; 8:45 am]