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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

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

**[Docket No. FAA-2022-1064; Project Identifier MCAI-2022-00342-T; Amendment 39-22224; AD 2022-22-09]**

**RIN 2120-AA64**

**Airworthiness Directives; Airbus SAS Airplanes**

#### **AGENCY:**

Federal Aviation Administration (FAA), DOT.

#### **ACTION:**

Final rule.

#### **SUMMARY:**

The FAA is adopting a new airworthiness directive (AD) for certain Airbus SAS Model A350-1041 airplanes. This AD was prompted by a report of rejected take-offs after transient engine N1 shaft speed exceedance. This AD requires replacing certain hydro-mechanical units (HMUs) with serviceable HMUs before reaching a reduced life limit, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. This AD also limits the installation of affected parts under certain conditions. The FAA is issuing this AD to address the unsafe condition on these products.

#### **DATES:**

This AD is effective December 30, 2022.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of December 30, 2022.

#### **ADDRESSES:**

*AD Docket:* You may examine the AD docket at *regulations.gov* under Docket No. FAA-2022-1064; 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, the mandatory continuing airworthiness information (MCAI), 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.

*Material Incorporated by Reference:*

- For material incorporated by reference in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); website [easa.europa.eu](http://easa.europa.eu). You may find this material on the EASA website at [ad.easa.europa.eu](http://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. It is also available in the AD docket at *regulations.gov* under Docket No. FAA-2022-1064.

**FOR FURTHER INFORMATION CONTACT:**

Dat Le, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 516-228-7317; email [dat.v.le@faa.gov](mailto:dat.v.le@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

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 A350-1041 airplanes. The NPRM published in the **Federal Register** on August 29, 2022 ([87 FR 52705](#)). The NPRM was prompted by AD 2022-0040, dated March 8, 2022, issued by EASA, which is the Technical Agent for the Member States of the European Union (EASA AD 2022-0040) (referred to after this as the MCAI). The MCAI states that rejected take-offs after transient engine N1 shaft speed exceedance have been reported. The MCAI adds that the combining spill valve (CSV) of the engine HMU was slow to close due to piston wear. A worn CSV piston does not move fully and freely over its operating range, and when it moves to the fully closed position, an excess of fuel is sent to the fuel nozzles, which eventually results in an N1 transient shaft overspeed. A stuck CSV piston could significantly reduce engine thrust, and if combined with a loss of the second engine, could possibly result in reduced control of the airplane.

In the NPRM, the FAA proposed to require replacing certain HMUs with serviceable HMUs before reaching a reduced life limit, as specified in EASA AD 2022-0040. The NPRM also proposed to limit the installation of affected parts under certain conditions. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA-2022-1064.

**Discussion of Final Airworthiness Directive**

## Comments

The FAA received comments from the Air Line Pilots Association, International (ALPA) who supported the NPRM without change.

## Conclusion

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered the comment received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on this product. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

## Related Service Information Under [1 CFR Part 51](#)

EASA AD 2022-0040 specifies procedures for replacing each HMU having part number G5020HMU02 with a serviceable HMU before reaching a reduced life limit. EASA AD 2022-0040 also limits the installation of affected parts under certain conditions. 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.

## Interim Action

The FAA considers that this AD is an interim action. If final action is later identified, the FAA might consider further rulemaking then.

## Costs of Compliance

The FAA estimates that this AD affects 29 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
7 work-hours × \$85 per hour = \$595	\$0 *	\$595	\$17,255

*\* The FAA has received no definitive data on which to base the cost estimates for the parts specified in this AD.*

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## 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

## 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:

**2022-22-09 Airbus SAS:** Amendment 39-22224; Docket No. FAA-2022-1064; Project Identifier MCAI-2022-00342-T.

**(a) Effective Date**

This airworthiness directive (AD) is effective December 30, 2022.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Airbus SAS Model A350-1041 airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2022-0040, dated March 8, 2022 (EASA AD 2022-0040).

**(d) Subject**

Air Transport Association (ATA) of America Code 73, Engine Fuel and Control.

**(e) Unsafe Condition**

This AD was prompted by a report of rejected take-offs after transient engine N1 shaft speed exceedance. The FAA is issuing this AD to address a stuck combined spill valve (CSV) piston of the engine hydro-mechanical units (HMUs), which could significantly reduce engine thrust, and if combined with a loss of the second engine, could possibly result in 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 2022-0040.

**(h) Exceptions to EASA AD 2022-0040**

(1) Where EASA AD 2022-0040 refers to its effective date, this AD requires using the effective date of this AD.

(2) The “Remarks” section of EASA AD 2022-0040 does not apply to this AD.

(3) Where paragraph (1) of EASA AD 2022-0040 specifies to replace “[b]efore an affected part exceeds the life limit as defined in Table 1 of this [EASA] AD,” this AD requires replacing “before an affected part exceeds the life limit specified in Table 1 of EASA 2022-0040, or within 3 flight cycles after the effective date of this AD, whichever occurs later.”

(4) Where Table 1 of EASA AD 2022-0040 specifies calendar timeframes, for this AD replace the text “31 March 2022 to 29, June 2023” with “the effective date of this AD through June 29, 2023.”

## **(i) Additional AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, 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 responsible Flight Standards Office, as appropriate. If sending information directly to the International Validation Branch, send it to the attention of the person identified in paragraph (j) of this AD. Information may be emailed to: [9-AVS-AIR-730-AMOC@faa.gov](mailto: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 responsible Flight Standards 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)*: Except as required by paragraph (i)(2) of this AD, if any service information referenced in EASA AD 2022-0042 contains paragraphs that are labeled as RC, the instructions in RC paragraphs, including subparagraphs under an RC paragraph, must be done to comply with this AD; any paragraphs, including subparagraphs under those paragraphs, that are not identified as RC are recommended. The instructions in paragraphs, including subparagraphs under those paragraphs, 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 instructions identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to instructions identified as RC require approval of an AMOC.

## **(j) Additional Information**

For more information about this AD, contact Dat Le, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 516-228-7317; email [dat.v.le@faa.gov](mailto:dat.v.le@faa.gov).

## **(k) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference 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 2022-0040, dated March 8, 2022.

(ii) [Reserved]

(3) For EASA AD 2022-0040, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); website [easa.europa.eu](http://easa.europa.eu). You may find this EASA AD on the EASA website at [ad.easa.europa.eu](http://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.

(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 [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to: [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

Issued on October 21, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[[FR Doc. 2022-25512](#) Filed 11-23-22; 8:45 am]

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