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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2019-0255; Product Identifier 2019-NM-018-AD; Amendment 39-19687; AD 2019-14-09]

RIN 2120-AA64

#### Airworthiness Directives; Airbus SAS Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for all Airbus SAS Model A330-200 Freighter series airplanes. This AD was prompted by reports of cracked flexible hoses of the oxygen crew and courier distribution system (OCCDS) on A330 freighter airplanes. This AD requires repetitive detailed inspections, including functional testing, of the OCCDS and replacement of affected part(s) if necessary, as specified in a European 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 September 9, 2019.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of September 9, 2019.

**ADDRESSES:** For the material incorporated by reference (IBR) in this AD, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 1000; 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, Transport Standards 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 <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0255.

#### 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-2019-0255; 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 regulatory evaluation, 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:** Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3229.

#### SUPPLEMENTARY INFORMATION:

##### Discussion

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus SAS Model A330-200 Freighter series airplanes. The NPRM published in the **Federal Register** on May 7, 2019 (84 FR 19891). The NPRM was prompted by reports of cracked flexible hoses of the OCCDS on A330 freighter airplanes. The NPRM proposed to require repetitive detailed inspections, including functional testing, of the OCCDS and replacement of affected part(s) if necessary.

The FAA is issuing 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.

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2019-0027, dated February 4, 2019

(“EASA AD 2019-0027”) (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Airbus SAS Model A330-200 Freighter series airplanes. The MCAI states:

Several occurrences were reported of finding cracked flexible hoses [part number] P/N 32209-series of the OCCDS on A330 freighter aeroplanes. These flexible hoses are steel braided hoses with polyurethane (PUR) inner tubes and steel inner springs. On A330 freighter aeroplanes, these hoses are located in the courier area and are not pressurized during normal operation.

This condition, if not detected and corrected, could lead to oxygen leakage in the flexible hose of the OCCDS, which, in combination with in-flight depressurization, smoke in cockpit or smoke evacuation procedure, could possibly result in cockpit crew injury and reduced control of the aeroplane.

To address this potential unsafe condition, Airbus issued the SB [service bulletin] to provide inspection instructions.

For the reasons described above, this [EASA] AD requires repetitive detailed inspections (DET), including functional testing, of the OCCDS and, depending on findings, replacement of affected part(s).

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-2019-0255.

#### Comments

The FAA gave the public the opportunity to participate in developing this final rule. The FAA received no comments on the NPRM or on the determination of the cost to the public.

#### Conclusion

The FAA reviewed the relevant data 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 2019-0027 describes procedures for repetitive inspections and replacement of OCCDS flexible

hoses. 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 5 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
14 work-hours × \$85 per hour = \$1,190 .....	\$0	\$1,190	\$5,950

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.

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 and associated appliances to the Director of the System Oversight Division.

**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):

**2019–14–09 Airbus SAS:** Amendment 39–19687; Docket No. FAA–2019–0255; Product Identifier 2019–NM–018–AD.

**(a) Effective Date**

This AD is effective September 9, 2019.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to all Airbus SAS Model A330–223F and –243F airplanes, certificated in any category.

**(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 A330 freighter airplanes. The FAA is issuing 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, European Aviation Safety Agency (EASA) AD 2019–0027, dated February 4, 2019 (“EASA AD 2019–0027”).

**(h) Exceptions to EASA AD 2019–0027**

(1) For purposes of determining compliance with the requirements of this AD: Where EASA AD 2019–0027 refers to its effective date, this AD requires using the effective date of this AD.

(2) The “Remarks” section of EASA AD 2019–0027 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, 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 (j) 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, 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 2019-0027 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

For more information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3229.

#### (k) 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 Aviation Safety Agency (EASA) AD 2019-0027, dated February 4, 2019.

(ii) [Reserved]

(3) For EASA AD 2019-0027, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 6017; 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 EASA AD at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. EASA AD 2019-0027 may be found in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0255.

(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, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Des Moines, Washington, on July 18, 2019.

**Suzanne Masterson,**

*Acting Director, System Oversight Division, Aircraft Certification Service.*

[FR Doc. 2019-16701 Filed 8-2-19; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2019-0203; Product Identifier 2018-CE-052-AD; Amendment 39-19689; AD 2019-14-11]

RIN 2120-AA64

#### Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Diamond Aircraft Industries GmbH Model DA 42 NG and Model DA 42 M-NG airplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The unsafe condition in the MCAI is insufficient clearance of the gust lock mounts on the pilot side rudder pedals. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective September 9, 2019.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of September 9, 2019.

**ADDRESSES:** For service information identified in this final rule, contact Diamond Aircraft Industries GmbH, N.A. Otto-Straße 5, A-2700 Wiener Neustadt, Austria, telephone: +43 2622 26700; fax: +43 2622 26780; email: [office@diamond-air.at](mailto:office@diamond-air.at); internet: <http://www.diamondaircraft.com>. You may view this referenced service information at the FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148. It is also available on the internet at <http://www.regulations.gov> by searching for Docket No. FAA-2019-0203.

#### 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-2019-0203; 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 regulatory evaluation, 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:

Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Standards Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; fax: (816) 329-4090; email: [mike.kiesov@faa.gov](mailto:mike.kiesov@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Discussion

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Diamond Aircraft Industries GmbH Model DA 42 NG and Model DA 42 M-NG airplanes. The NPRM published in the **Federal Register** on April 2, 2019 (84 FR 12532). The NPRM proposed to require removing the left-hand pilot rudder pedal gust lock mounts and revising the airplane flight manual. The NPRM was based on MCAI originated by the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community. The MCAI states:

During production check-out of two DA 42 NG aeroplanes, it was noticed that, with the adjustable rudder pedals in full forward position, the gust lock mounts slightly touched the canopy gas spring damper. The subsequent investigation found that this was due to an unfavourable combination of production tolerances on these two aeroplanes. [Diamond Aircraft Industries GmbH] DAI determined that other aeroplanes of the same build standard (configuration) may also be affected.

This condition, if not corrected, could lead to restricted rudder travel, possibly resulting in reduced control of the aeroplane.

Prompted by these findings, DAI published the [mandatory service bulletin] MSB, providing modification instructions to remove the gust lock mounts on the pilot (left-hand, LH) side rudder pedals to ensure sufficient clearance, regardless of production tolerances and rudder pedal position.

For the reason described above, this [EASA] AD requires implementation of a temporary revision (TR) to the applicable Airplane Flight Manual (AFM) and a modification, removing the pilot (LH) side rudder pedal gust lock mounts.

The MCAI can be found in the AD docket on the internet at <https://www.regulations.gov/document?D=FAA-2019-0203-0002>.

#### Comments

The FAA gave the public the opportunity to participate in developing this final rule. The FAA received no