DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

Airworthiness Directives; ATR–GIE Avions de Transport Régional Airplanes

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

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directives (AD) 2000–23–04 R1 and AD 2018–20–14, which applied to certain ATR–GIE Avions de Transport Régional Model ATR42–500 airplanes. AD 2000–23–04 R1 and AD 2018–20–14 required revising the maintenance or inspection program, as applicable, to incorporate new and/or more restrictive maintenance requirements and airworthiness limitations. This AD requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations; as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. This AD was prompted by the FAA’s determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective June 23, 2021.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of June 23, 2021.

The Director of the Federal Register approved the incorporation by reference of certain other publications listed in this AD as of November 20, 2018 (83 FR 52123, October 16, 2018).

ADDRESSES: For EASA material incorporated by reference (IBR) in this AD, contact EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2020–0263, dated December 1, 2020 (EASA AD 2020–0263) (also referred to as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for all Model ATR 42–400 and ATR 42–500 airplanes. Model ATR 42–400 airplanes are not certified by the FAA and are not included on the U.S. type certificate data sheet; this AD therefore does not include those airplanes in the applicability. Airplanes with an original airworthiness certificate or original export certificate of airworthiness issued after July 7, 2020 must comply with the airworthiness limitations specified as part of the approved type design and referenced on the type certificate data sheet; this AD therefore does not include those airplanes in the applicability.

The FAA issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 to supersede AD 2000–23–04 R1, Amendment 39–12174 (66 FR 19381, April 16, 2001) (AD 2000–23–04 R1 and AD 2018–20–14, Amendment 39–19948) (83 FR 52123, October 16, 2018) (AD 2018–20–14). ADs 2000–23–04 R1 and 2018–20–14 applied to certain ATR–GIE Avions de Transport Régional Model ATR42–500 airplanes. The SNPRM published in the Federal Register on February 24, 2021 (86 FR 11169). The FAA preceded the SNPRM with a notice of proposed rulemaking (NPRM) that published in the Federal Register on October 29, 2020 (85 FR 68503). The NPRM was prompted by the FAA’s determination that new or more restrictive airworthiness limitations are necessary. The NPRM proposed to require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The SNPRM proposed to require revising the existing.
maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, as specified in EASA AD 2020–0263.

The FAA is issuing this AD to address reduced structural integrity of the airplane. See the MCAI for additional background information.

Comments
The FAA gave the public the opportunity to participate in developing this final rule. The FAA received no comments on the SNPRM 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 requires 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 SNPRM for addressing the unsafe condition; and
• Do not add any additional burden upon the public than was already proposed in the SNPRM.

The FAA also determined that these changes will not increase the economic burden on any operator or increase the scope of this final rule.

Related Service Information Under 1 CFR Part 51

EASA AD 2020–0263 describes new or more restrictive airworthiness limitations for airplane structures and safe life limits. This AD also requires the following service information, which the Director of the Federal Register approved for incorporation by reference as of November 20, 2018 (83 FR 52123, October 16, 2018):

b. Adding the following new AD:


(a) Effective Date
This airworthiness directive (AD) is effective June 23, 2021.

(b) Affected ADs

2. The FAA amends § 39.13 by:
   a. Removing Airworthiness Directive (AD) 2000–23–04R1, Amendment 39–12174 (66 FR 19381, April 16, 2001); and AD 2018–20–14, Amendment 39–19448 (83 FR 52123, October 16, 2018); and
   b. Adding the following new AD:


(c) Applicability
This AD applies to ATR–GIE Avions de Transport Regional Model ATR42–500 airplanes, certificated in any category, with an original airworthiness certificate or original export certificate of airworthiness dated on or before July 7, 2020.

(d) Subject
Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Reason
This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to prevent reduced structural integrity of the airplane.

(f) Compliance
Comply with this AD within the compliance times specified, unless already done.

(g) Retained Maintenance or Inspection Program Revision, With Changes
This paragraph restates the requirements of paragraph (g) of AD 2018–20–14, with revised figure designation and reference. For airplanes with an original airworthiness
certificate or original export certificate of airworthiness dated on or before May 3, 2017: Within 90 days after November 20, 2018 (the effective date of AD 2018–20–14), revise the maintenance or inspection program, as applicable, to incorporate the information specified in ATR ATR42–400/-500, Time Limits Document (TL), Revision 11, dated May 5, 2015; and ATR ATR42–400/-500 Time Limits Temporary Revision TR01/17, dated May 3, 2017. The initial compliance time for accomplishing the tasks is at the applicable times specified in ATR ATR42–400/-500, Time Limits Document (TL), Revision 11, dated May 5, 2015; and ATR ATR42–400/-500 Time Limits Temporary Revision TR01/17, dated May 3, 2017; or within 90 days after November 20, 2018; whichever occurs later, except for those certification maintenance requirements (CMRs) tasks identified in figure 1 to paragraph (g) of this AD.

**Figure 1 to paragraph (g) – Grace period for CMR tasks**

<table>
<thead>
<tr>
<th>CMR/Maintenance Significant Item (MSI) Task</th>
<th>Compliance Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>213100-2A</td>
<td>Within 550 flight hours or 90 days, whichever occurs first, after November 20, 2018 (the effective date of AD 2018-20-14).</td>
</tr>
<tr>
<td>213100-2B</td>
<td></td>
</tr>
<tr>
<td>213100-3A</td>
<td></td>
</tr>
<tr>
<td>213100-3B</td>
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</tbody>
</table>

(h) Retained Initial Compliance Times for Certain CMR Tasks, With Changes

This paragraph restates the requirements of paragraph (h) of AD 2018–20–14, with revised figure references. For the CMR tasks listed in figure 1 to paragraph (g) of this AD, the initial compliance time for accomplishing the tasks is at the applicable time specified in ATR ATR42–400/-500 Time Limits Temporary Revision TR01/17, dated May 3, 2017; or within the compliance time specified in figure 1 to paragraph (g) of this AD: whichever occurs later.

(i) Retained Restrictions on Alternative Actions, Intervals, and Critical Design Configuration Control Limitations (CDCCCLs), With a New Exception.

This paragraph restates the requirements of paragraph (i) of AD 2018–20–14, with a new exception. Except as required by paragraph (j) of this AD, after the maintenance or inspection program, as applicable, has been revised as required by paragraph (g) of this AD, no alternative actions (e.g., inspections), intervals, and/or CDCCCLs may be used unless the actions, intervals, and/or CDCCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (n)(1) of this AD.

(j) New Maintenance or Inspection Program Revision

Except as specified in paragraph (k) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2020–0263, dated December 1, 2020 (EASA AD 2020–0263). Accomplishing the maintenance or inspection program revision required by this paragraph terminates the requirements of paragraph (g) of this AD.

(k) Exceptions to EASA AD 2020–0263

(1) The requirements specified in paragraphs (1) and (2) of EASA AD 2020–0263 do not apply to this AD.

(2) Paragraph (3) of EASA AD 2020–0263 specifies revising “the approved AMP [Airworthiness Maintenance Program]” within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after the effective date of this AD.

(3) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2020–0263 is at the applicable “thresholds” as incorporated by the requirements of paragraph (3) of EASA AD 2020–0263, or within 90 days after the effective date of this AD, whichever occurs later.

(4) The provisions specified in paragraphs (4) and (5) of EASA AD 2020–0263 do not apply to this AD.

(5) The “Remarks” section of EASA AD 2020–0263 does not apply to this AD.

(l) New Provisions for Alternative Actions, Intervals, and CDCCCLs

After the maintenance or inspection program has been revised as required by paragraph (j) of this AD, no alternative actions (e.g., inspections), intervals, and CDCCCLs are allowed unless they are approved as specified in the provisions of the “Ref. Publications” section of EASA AD 2020–0263.

(m) Terminating Action for Other ADs

Accomplishing the actions required by paragraph (g) or (j) of this AD terminates all requirements of the ADs specified in paragraphs (m)(1) and (2) of this AD for ATR-GIE Avions de Transport Régional Model ATR42–500 airplanes only.

(1) AD 2008–04–19 R1.

(2) AD 2015–26–09.

(n) 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 responsible Flight Standards 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 (o) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(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 ATR–GIE Avions de Transport Régional’s EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA–authorized signature.

(o) Related Information

For more information about this AD, contact Shahram Daneshmandi, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3220; email Shahram.Daneshmandi@faa.gov.
DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Safety Zone; FKCC Swim Around Key West, Key West, FL]

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zone for the FKCC Swim Around Key West, Key West, Florida from 9 a.m. until 5 p.m. on June 12, 2021. Our regulation for recurring safety zones within the Captain of the Port Key West Zone identifies the regulated area for this event. This action is necessary to ensure the safety of event participants and spectators. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the regulated area without approval from the Captain of the Port Key West or a designated representative.

DATES: The regulations in 33 CFR 165.786, Table to § 165.786, Item 6.1, will be enforced from 9 a.m. until 5 p.m. on June 12, 2021.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email Gregory Bergstrom, Sector Key West Waterways Management Department, Coast Guard; telephone (305) 292–8772; email Greg.C.Bergstrom@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zone in 33 CFR 165.786, for the Annual Swim Around Key West regulated area from 9 a.m. to 5 p.m. on June 12, 2021. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for recurring marine events within Sector Key West, Table to § 165.786, Item 6.1, specifies the location of the regulated area. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the established regulated areas without approval from the Captain of the Port Key West or designated representative.

DATES: The regulations in 33 CFR 165.786, Table to § 165.786, Item 6.2, will be enforced from 8 a.m. until 4 p.m. on June 26, 2021.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email Gregory Bergstrom, Sector Key West Waterways Management Department, Coast Guard; telephone (305) 292–8772; email Greg.C.Bergstrom@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zone in 33 CFR 165.786, for the Annual Swim Around Key West regulated area from 8 a.m. to 4 p.m. on June 26, 2021. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for recurring marine events within Sector Key West, Table to § 165.786, Item 6.2, specifies the location of the regulated area. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the area.