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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-0644; Directorate Identifier 2009-NM-059-AD; Amendment 39-15972; AD 2009-15-09]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A380-841, -842, and -861 Airplanes

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

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

During inspections in production and on in-service aircraft, a number of Overheat Detection System (OHDS) installation non-conformities have been identified along the bleed air ducting.

Some installation issues which may lead to a degraded leak detection capability have been reported. In case of hot air leakage, the potential degradation of the OHDS would not allow preventing damages to structure or components * * *.

* * * * *

Nonconforming installation or a failure of the OHDS could allow undetected leakage of bleed air from the hot engine/auxiliary power unit causing damage to the airplane structure and various airplane components and systems. This AD requires actions that are intended to address the unsafe condition described in the MCAI.

DATES: This AD becomes effective August 5, 2009.

The Director of the Federal Register approved the incorporation by reference of a certain publication, listed in the AD as of August 5, 2009.

We must receive comments on this AD by August 20, 2009.

ADDRESSES: You may send comments by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Fax: (202) 493-2251.
- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- Hand Delivery: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office 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 Operations office (telephone (800) 647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2009-0066, dated March 19, 2009 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

During inspections in production and on in-service aircraft, a number of Overheat Detection System (OHDS) installation non-conformities have been identified along the bleed air ducting.

Some installation issues which may lead to a degraded leak detection capability have been reported. In case of hot air leakage, the potential degradation of the OHDS would not allow preventing damages to structure or components, and therefore could lead to an unsafe condition.

To ensure that in-service aircraft are free of such non-conformities, this AD requires an inspection of the OHDS installation along the bleed air ducting and, in case of findings [any sensing element or insulation muff installed incorrectly], to bring back the installation into the compliant configuration.

Nonconforming installation or a failure of the OHDS could allow undetected leakage of bleed air from the hot engine/auxiliary power unit causing damage to the airplane structure and various airplane components and systems. The inspection of the OHDS installation, for certain airplanes, consists of inspecting the APU overheat sensing elements APU 1 Loop A and B, the APU overheat sensing elements APU 2 Loop A and B, the crossbleed overheat sensing element, the forward cargo compartment heating element, and the sensing element of the overheat detection unit of the wing. For certain other airplanes, inspecting the OHDS installation consists of inspecting the forward cargo

compartment heating element. You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Airbus has issued Service Bulletin A380-36-8004, dated February 13, 2009. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

There are no products of this type currently registered in the United States. However, this rule is necessary to ensure that the described unsafe condition is addressed if any of these products are placed on the U.S. Register in the future.

Differences Between the AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a Note within the AD.

FAA's Determination of the Effective Date

Since there are currently no domestic operators of this product, notice and opportunity for public comment before issuing this AD are unnecessary.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include "Docket No. FAA-2009-0644; Directorate Identifier 2009-NM-059-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this AD.

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.

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 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); 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

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 AD:



2009-15-09 Airbus: Amendment 39-15972. Docket No. FAA-2009-0644; Directorate Identifier 2009-NM-059-AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective August 5, 2009.

Affected ADs

- (b) None.

Applicability

- (c) This AD applies to Airbus Model A380-841, -842, and -861 airplanes, certificated in any category, serial numbers 3, 5, 6, 8, 10, 11, 12, 13, 14, 15, 16, 20, and 22.

Subject

- (d) Air Transport Association (ATA) of America Code 36: Pneumatic.

Reason

- (e) The mandatory continued airworthiness information (MCAI) states:

During inspections in production and on in-service aircraft, a number of Overheat Detection System (OHDS) installation non-conformities have been identified along the bleed air ducting.

Some installation issues which may lead to a degraded leak detection capability have been reported. In case of hot air leakage, the potential degradation of the OHDS would not allow preventing damages to structure or components, and therefore could lead to an unsafe condition.

To ensure that in-service aircraft are free of such non-conformities, this AD requires an inspection of the OHDS installation along the bleed air ducting and, in case of findings [any sensing element or insulation muff installed incorrectly], to bring back the installation into the compliant configuration.

Nonconforming installation or a failure of the OHDS could allow undetected leakage of bleed air from the hot engine/auxiliary power unit causing damage to the airplane structure and various airplane components and systems. The inspection of the OHDS installation, for certain airplanes, consists of inspecting the APU overheat sensing elements APU 1 Loop A and B, the APU overheat sensing elements APU 2 Loop A and B, the crossbleed overheat sensing element, the forward cargo compartment heating element, and the sensing element of the overheat detection unit of the wing. For

certain other airplanes, inspecting the OHDS installation consists of inspecting the forward cargo compartment heating element.

Actions and Compliance

(f) Unless already done, do the following actions.

(1) Within 90 days after the effective date of this AD, do a one-time detailed visual inspection to determine whether the OHDS sensing elements and insulation muffs have been correctly installed, in accordance with Airbus Service Bulletin A380-36-8004, dated February 13, 2009.

(2) If, during any inspection required by paragraph (f)(1) of this AD, any sensing element or insulation muff is found to have been installed incorrectly, before further flight, bring the installation into compliant configuration, in accordance with Airbus Service Bulletin A380-36-8004, dated February 13, 2009.

(3) Submit a report of the findings (both positive and negative) of the inspection required by paragraph (f)(1) of this AD to Airbus, Customer Services Directorate, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex France, as specified in Figures A-GBCAA and A-GBDAA of Airbus Service Bulletin A380-36-8004, dated February 13, 2009, at the applicable time specified in paragraph (f)(3)(i) or (f)(3)(ii) of this AD.

(i) If the inspection was done on or after the effective date of this AD: Submit the report within 30 days after the inspection.

(ii) If the inspection was accomplished prior to the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Todd Thompson, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

Related Information

(h) Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency (EASA) Airworthiness Directive 2009-0066, dated March 19, 2009; and Airbus Service Bulletin A380-36-8004, dated February 13, 2009; for related information.

Material Incorporated by Reference

(i) You must use Airbus Service Bulletin A380-36-8004, dated February 13, 2009, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Airbus SAS–EANA (Airworthiness Office); 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 562 110 253; Fax +33 562 110 307; e-mail account.airworth-A380@airbus.com; Internet <http://www.airbus.com>.

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221 or 425-227-1152.

(4) You may also review copies of the 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/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on July 6, 2009.

Ali Bahrami,
Manager, Transport Airplane Directorate,
Aircraft Certification Service.