

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2022-0522; Project Identifier MCAI-2022-00340-T; Amendment 39-22135; AD 2022-16-06]

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 A330-200, A330-200 Freighter, A330-300, and A330-900 series airplanes; and all Model A340-200 and A340-300 series airplanes. This AD was prompted by recent tests that demonstrated that when the upper secondary load path (SLP) of the trimmable horizontal stabilizer actuator (THSA) is engaged, the THSA might not stall, with consequently no indication of SLP engagement. This AD requires modifying the THSA installation, implementing the electrical load sensing device (ELSD) wiring provisions, and installing and activating the ELSD, 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 September 27, 2022.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of September 27, 2022.

**ADDRESSES:** For material incorporated by reference (IBR) 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); internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this IBR 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 [www.regulations.gov](http://www.regulations.gov) under Docket No. FAA-2022-0522.

**Examining the AD Docket**

You may examine the AD docket at [www.regulations.gov](http://www.regulations.gov) under Docket No. FAA-2022-0522; 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.

**FOR FURTHER INFORMATION CONTACT:**

Vladimir Ulyanov, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206-231-3229; email [Vladimir.Ulyanov@faa.gov](mailto:Vladimir.Ulyanov@faa.gov).

**SUPPLEMENTARY INFORMATION:****Background**

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2022-0039, dated March 8, 2022 (EASA AD 2022-0039) (also referred to as the MCAI), to correct an unsafe condition for certain Airbus SAS Model A330-201, A330-202, A330-203, A330-223, A330-223F, A330-243, A330-243F, A330-301, A330-302, A330-303, A330-321, A330-322, A330-323, A330-341, A330-342, A330-343, and A330-941 airplanes; and all Model A340-211, A340-212, A340-213, A340-311, A340-312, and A340-313 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 A330-201, A330-202, A330-203, A330-223, A330-223F, A330-243, A330-243F, A330-301, A330-302, A330-303, A330-321, A330-322, A330-323, A330-341, A330-342, A330-343, and A330-941 airplanes; and all Model A340-211, A340-212, A340-213, A340-311, A340-312, and A340-313 airplanes. The NPRM published in the **Federal Register** on May 19, 2022 (87 FR 30434). The NPRM was prompted by recent tests that demonstrated that when the upper SLP of the THSA is engaged, the THSA might not stall, with consequently no indication of SLP engagement. The NPRM proposed to require modifying the THSA installation, implementing the ELSD

wiring provisions, and installing and activating the ELSD, as specified in EASA AD 2022-0039.

The FAA is issuing this AD to address the unsafe condition on these products. See the MCAI for additional background information.

**Discussion of Final Airworthiness Directive****Comments**

The FAA received comments from the Air Line Pilots Association, International, which supported the NPRM without change.

**Conclusion**

The FAA reviewed the relevant data, considered the comments received, and determined that air safety requires adopting this AD as proposed. 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. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products.

**Related Service Information Under 14 CFR Part 51**

EASA AD 2022-0039 specifies procedures for modification to the THSA by installation and activation of the ELSD, and installation of the wiring provisions for the ELSD. The installation and activation of the ELSD include installation of the ELSD on the THSA, modification of the electrical harness, and modification of the circuit breaker in the auxiliary power unit (APU) control box. The installation of the wiring provisions for the ELSD includes modifying the structure at frame 87, installing the brackets at frame 87, installing the electrical dummy connectors, rerouting the wire between frame 56 and frame 69, modifying the circuit breaker box, modifying the electrical harness, and rerouting the wiring.

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 120 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
57 work-hours × \$85 per hour = \$4,845 .....	Up to \$23,000 .....	Up to \$27,845 .....	Up to \$3,341,400.

**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:

**2022–16–06 Airbus SAS:** Amendment 39–22135; Docket No. FAA–2022–0522; Project Identifier MCAI–2022–00340–T.

**(a) Effective Date**

This airworthiness directive (AD) is effective September 27, 2022.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Airbus SAS airplanes specified in paragraphs (c)(1) and (2) of this AD, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2022–0039, dated March 8, 2022 (EASA AD 2022–0039).

(1) Model A330–201, –202, –203, –223, –223F, –243, –243F, –301, –302, –303, –321, –322, –323, –341, –342, –343, and –941 airplanes.

(2) Model A340–211, –212, –213, –311, –312, and –313 airplanes.

**(d) Subject**

Air Transport Association (ATA) of America Code 27, Flight Controls.

**(e) Unsafe Condition**

This proposed AD was prompted by recent tests that demonstrated that when the upper secondary load path (SLP) of the trimmable horizontal stabilizer actuator (THSA) is engaged, the THSA might not stall, with consequently no indication of SLP engagement. The FAA is issuing this AD to prevent damage on the upper THSA SLP attachment, with consequent mechanical disconnection of the THSA, possibly resulting in loss of 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 2022–0039.

**(h) Exceptions to EASA AD 2022–0039**

(1) Where EASA AD 2022–0039 refers to its effective date, this AD requires using the effective date of this AD.

(2) The "Remarks" section of EASA AD 2022–0039 does not apply to this AD.

**(i) Additional 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 (j) 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 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 contains procedures or tests that are identified as RC, those 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 information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3229; email [Vladimir.Ulyanov@faa.gov](mailto:Vladimir.Ulyanov@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 2022–0039, dated March 8, 2022.

(ii) [Reserved]

(3) For the service information identified 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); internet [www.easa.europa.eu](http://www.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 July 28, 2022.

**Christina Underwood,**

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

[FR Doc. 2022–18112 Filed 8–22–22; 8:45 am]

BILLING CODE 4910–13–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2022–0590; Project Identifier MCAI–2021–01395–T; Amendment 39–22134; AD 2022–16–05]

RIN 2120–AA64

#### **Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) 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 MHI RJ Aviation ULC Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes. This AD was prompted by a determination that a certain nondestructive test (NDT) procedure associated with a certain airworthiness limitation for inspecting surface and subsurface fatigue cracks at certain fuselage stations does not address all required inspections. This AD requires

using a revised NDT procedure when performing an airworthiness limitation task. This AD also prohibits the use of earlier revisions of that NDT procedure. The FAA is issuing this AD to address the unsafe condition on these products. **DATES:** This AD is effective September 27, 2022.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of September 27, 2022.

**ADDRESSES:** For service information identified in this final rule, contact MHI RJ Aviation Group, Customer Response Center, 3655 Ave. des Grandes-Tourrelles, Suite 110, Boisbriand, Québec J7H 0E2 Canada; North America toll-free telephone 833–990–7272 or direct-dial telephone 450–990–7272; fax 514–855–8501; email [thd.crj@mhirj.com](mailto:thd.crj@mhirj.com); internet [www.mhirj.com](http://www.mhirj.com). You may view this service information 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 at [www.regulations.gov](http://www.regulations.gov) by searching for and locating Docket No. FAA–2022–0590.

#### **Examining the AD Docket**

You may examine the AD docket at [www.regulations.gov](http://www.regulations.gov) by searching for and locating Docket No. FAA–2022–0590; 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.

#### **FOR FURTHER INFORMATION CONTACT:**

Deep Gaurav, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone: 516–228–7300; email [9-avs-nyaco-cos@faa.gov](mailto:9-avs-nyaco-cos@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued TCCA AD CF–2021–47, dated December 13, 2021 (TCCA AD CF–2021–47) (also referred to as the MCAI), to correct an unsafe condition for certain MHI RJ Aviation ULC Model CL–600–2B19 (Regional Jet

Series 100 & 440) airplanes. You may examine the MCAI in the AD docket at [www.regulations.gov](http://www.regulations.gov) by searching for and locating Docket No. FAA–2022–0590.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain MHI RJ Aviation ULC Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes. The NPRM published in the **Federal Register** on May 31, 2022 (87 FR 32365). The NPRM was prompted by a determination that a certain NDT procedure associated with a certain airworthiness limitation for inspecting surface and subsurface fatigue cracks at fuselage station (FS) 460 and FS513 does not address all required inspections. The NPRM proposed to require using a revised NDT procedure when performing an airworthiness limitation task. The NPRM also proposed to prohibit the use of earlier revisions of that NDT procedure. The FAA is issuing this AD to address such fatigue cracks, which could result in failure of the pressure floor skin and consequent rapid decompression of the airplane during flight. See the MCAI for additional background information.

#### **Discussion of Final Airworthiness Directive**

##### **Comments**

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 requires adopting this AD as proposed. 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. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products.

#### **Related Service Information Under 14 CFR Part 51**

MHI RJ Aviation ULC has issued MHI RJ CRJ200 NDTM Temporary Revision 53–109, dated March 5, 2021. This temporary revision describes an NDT procedure to do a special detailed inspection (eddy current inspection) for surface and subsurface cracks at FS460 and FS513. This service information 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.