

**§ 39.13 [Amended]**

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**Leonardo S.p.a. (Type Certificate Previously Held by Agusta S.p.A.):** Docket No. FAA–2021–0948; Project Identifier MCAI–2020–00394–R.

**(a) Comments Due Date**

The FAA must receive comments on this airworthiness directive (AD) by December 13, 2021.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Leonardo S.p.a (type certificate previously held by Agusta S.p.A.), Model A109A and A109A II helicopters, certificated in any category, with a main rotor (M/R) blade part number 109–0103–01–115 installed.

**(d) Subject**

Joint Aircraft Service Component (JASC) Code: 6210, Main Rotor Blades.

**(e) Unsafe Condition**

This AD was prompted by a report of internal corrosion of the spar of an M/R blade. The FAA is issuing this AD to prevent failure of an M/R blade due to corrosion on the internal surface of the spar. The unsafe condition, if not addressed, could result in loss of control of the helicopter.

**(f) Compliance**

Comply with this AD within the compliance times specified, unless already done.

**(g) Required Actions**

For each M/R blade identified in paragraph (c) of this AD:

(1) Within 50 hours time-in-service or 3 months after the effective date of this AD, whichever occurs first, unless already done within the last 24 months for the M/R blade, and thereafter, at intervals not to exceed 24 months for the M/R blade, inspect the M/R blade by following the Accomplishment Instructions, paragraphs 1. through 5., of Leonardo Helicopters Alert Service Bulletin No. 109–155, dated March 13, 2020.

(2) Before further flight, send the film for analysis and accomplish repair in accordance with a method approved by the Manager, General Aviation & Rotorcraft Section, International Validation Branch, FAA; or EASA; or Leonardo S.p.a Helicopters' EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

**(h) Alternative Methods of Compliance (AMOCs)**

(1) 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 local Flight Standards District Office, as appropriate. If sending information directly

to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (i)(1) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(2) 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.

**(i) Related Information**

(1) For more information about this AD, contact Kristi Bradley, Program Manager, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222–5110; email [kristin.bradley@faa.gov](mailto:kristin.bradley@faa.gov).

(2) For service information identified in this AD, contact Leonardo S.p.A. Helicopters, Emanuele Bufano, Head of Airworthiness, Viale G. Agusta 520, 21017 C. Costa di Samarate (Va) Italy; telephone +39–0331–225074; fax +39–0331–229046; or at <https://customerportal.leonardocompany.com/en-US/>. You may view this referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110.

(3) The subject of this AD is addressed in European Union Aviation Safety Agency (EASA) AD 2020–0065, dated March 20, 2020. You may view the EASA AD at <https://www.regulations.gov> in Docket No. FAA–2021–0948.

Issued on October 22, 2021.

**Lance T. Gant,**

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

[FR Doc. 2021–23510 Filed 10–28–21; 8:45 am]

**BILLING CODE 4910–13–P**

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

**[Docket No. FAA–2021–0947; Project Identifier MCAI–2021–00195–R]**

**RIN 2120–AA64**

**Airworthiness Directives; Airbus Helicopters**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus Helicopters Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350D, EC130B4, and EC130T2 helicopters; Model AS355E, AS355F, AS355F1, AS355F2, AS355N,

and AS355NP helicopters; and Model SA–365C1, SA–365C2, SA–365N, SA–365N1, AS–365N2, and AS 365 N3 helicopters. This proposed AD was prompted by a report of increased vibration during flight. This proposed AD would require the application of alignment markings on, and repetitive inspections of, the main rotor (MR) pitch rod upper links and, depending on findings, the accomplishment of applicable corrective actions, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by December 13, 2021.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For EASA material that is proposed for 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 the EASA material on the EASA website at <https://ad.easa.europa.eu>. You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. The EASA material is also available at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0947.

**Examining the AD Docket**

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0947; 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 NPRM, the EASA AD, any comments received, and other information. The

street address for Docket Operations is listed above.

**FOR FURTHER INFORMATION CONTACT:**

Andrea Jimenez, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228-7330; email [andrea.jimenez@faa.gov](mailto:andrea.jimenez@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2021-0947; Project Identifier MCAI-2021-00195-R" at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

**Confidential Business Information**

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Andrea Jimenez, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228-7330; email

[andrea.jimenez@faa.gov](mailto:andrea.jimenez@faa.gov). Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

**Background**

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2021-0048, dated February 16, 2021 (EASA AD 2021-0048), to correct an unsafe condition for Airbus Helicopters (formerly Eurocopter, Eurocopter France, Aérospatiale) Model AS 350 B, AS 350 BA, AS 350 BB, AS 350 B1, AS 350 B2, AS 350 B3, AS 350 D, EC 130 B4, and EC 130 T2 helicopters; Model AS 355 E, AS 355 F, AS 355 F1, AS 355 F2, AS 355 N, and AS 355 NP helicopters; and Model SA 365 C1, SA 365 C2, SA 365 C3, SA 365 N, SA 365 N1, AS 365 N2, and AS 365 N3 helicopters; all serial numbers. Model AS 350 BB and SA 365 C3 helicopters are not certificated by the FAA and are not included on the U.S. type certificate data sheet; this proposed AD therefore does not include those helicopters in the applicability.

This proposed AD was prompted by a report of increased vibration during flight by the crew of an Airbus Helicopters Model AS 365 helicopter. Subsequent investigation found a total loss of tightening torque of one screw connecting the MR pitch rod to the horn of its upper link, which led to abnormal wear of the screw and consequently increased the vibrations coming from the MR control chain to the pilot's flight controls. The MR pitch rod upper link installation is identical on Model AS 350, EC 130, AS 355, SA 365 and AS 365 helicopters, therefore, these models may be subject to the unsafe condition revealed on the Model AS 365 helicopter. The FAA is proposing this AD to address loss of tightening torque of the screws connecting the MR pitch rods to the horns of the upper links. This condition, if not addressed, could result in loss of one or more MR pitch rod upper links, possibly resulting in loss of control of the helicopter. See EASA AD 2021-0048 for additional background information.

**Related Service Information Under 1 CFR Part 51**

EASA AD 2021-0048 requires the application of alignment markings on the screw, washer, nut, and horn on both sides of each MR pitch rod upper link, and repetitive visual inspections of the two alignment markings to determine if the markings are aligned on both sides. If, during any inspection the markings on one or both sides of a MR

pitch rod upper link are found misaligned, the additional actions and corrective actions include the following.

- Measuring the tightening torque value of the nut of the pitch rod upper link and adjusting the nut if it does not meet the specified criteria.
- Inspecting the pitch rod upper link to determine the condition of the bush (bushing) and spherical bearing and to determine if the cups are tight (paint mark in place), and measuring the play. If there is seizing, carbide chips, or the cups are loose (paint mark not in place), the corrective actions include replacing the spherical bearing. If the play measurement is greater than the specified measurement the corrective action is replacing the rod end fitting. Additional actions include checking the bonding and condition of the retaining ring and inspecting the pitch rod bodies for evidence of any impact, scratch, strike, or corrosion.
- Inspecting the pitch rods for chipped finish paint, scratches, impacts, and cracking, and measuring the play. If paint is chipped the corrective action is repair (sanding the affected area and applying touch-up primer and paint). If there is any scratch, an impact with a depth equal to or greater than the specified measurement, or any crack, the corrective action is replacing the pitch rod. If the play measurement is greater than 0.25 mm or there is cracking, the corrective action is replacing the spherical bearing. An additional action, if a helicopter was involved in an incident, is inspecting the straightness of the rod body "R" and replacing the pitch rod if the straightness of the rod body is greater than 0.5 mm.

- Inspecting the pitch horn for any evidence of impact, scratch, corrosion, chipped paint, cracking, and any elongated attachment hole; and inspecting the bonding of the retaining ring and measuring dimension "X" of the retaining ring. If there is any evidence of impact, scratch, or corrosion, and the depth meets the specified criteria, the corrective actions include touching up the affected area with an abrasive cloth and applying a protective coating and a coat of primer. If there is any cracking, elongated attachment hole, or the impact, scratch, or corrosion depth exceeds the specified criteria, the corrective action is replacing the pitch horn. If paint is chipped the corrective actions include sanding the affected area and applying touch-up primer and paint. If the retaining ring has debonded the corrective action is to rebond the retaining ring. If dimension "X" of the retaining ring exceeds the specified

criteria, the corrective action is replacing the retaining ring.

- Measuring the geometry of “G” of the pitch horn and replacing the pitch horn if the dimension is not within the specified range.

- Installing new split pins, nuts, washers, and a screw on the pitch rod upper link.

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.

**FAA’s Determination**

These helicopters have been approved by EASA and are approved for operation in the United States. Pursuant to the FAA’s bilateral agreement with the European Union, EASA has notified the FAA about the unsafe condition described in its AD. The FAA is proposing this AD after evaluating all known relevant information and determining that the unsafe condition described previously is likely to exist or develop on other helicopters of these same type designs.

**Proposed AD Requirements in This NPRM**

This proposed AD would require accomplishing the actions specified in EASA AD 2021–0048, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this proposed AD.

**Explanation of Required Compliance Information**

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2021–0048 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2021–0048 in its entirety through that incorporation, except for any differences

identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2021–0048 does not mean that operators need comply only with that section. For example, where the AD requirement refers to “all required actions and compliance times,” compliance with this AD requirement is not limited to the section titled “Required Action(s) and Compliance Time(s)” in EASA AD 2021–0048. Service information required by EASA AD 2021–0048 for compliance will be available at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0947 after the FAA final rule is published.

**Costs of Compliance**

The FAA estimates that this AD, if adopted as proposed, would affect 1,266 helicopters of U.S. Registry. The FAA estimates the following costs to comply with this proposed AD:

**ESTIMATED COSTS \***

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection .....	0.50 work-hour × \$85 per hour = \$42.50 per inspection cycle.	\$0	\$42.50 per inspection cycle.	\$53,805 per inspection cycle.

\* The FAA has determined that application of alignment markings would take a minimal amount of time at a nominal cost.

The FAA estimates the following costs to do any necessary actions that

would be required based on the results of the proposed inspection. The agency

has no way of determining the number of aircraft that might need these actions:

**ON-CONDITION COSTS \***

Action	Labor cost	Parts cost	Cost per product
Screw, Washer, Nut, and Split Pin Replacement .....	1 work-hour × \$85 per hour = \$85 .....	\$40	\$125
Spherical Bearing Replacement .....	4 work hours × \$85 per hour = \$340 .....	\$500	\$840
Pitch Rod Replacement .....	4 work hours × \$85 per hour = \$340 .....	\$3,000	\$3,340
Pitch Horn Replacement .....	16 work hours × \$85 per hour = \$1360 .....	\$4,000	\$5,360

\* The FAA has determined that “repair” of chipped paint would take a minimal amount of time at a nominal cost.

**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**

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 proposed regulation:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Would not affect intrastate aviation in Alaska, and
- (3) Would 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 Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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:

**Airbus Helicopters:** Docket No. FAA–2021–0947; Project Identifier MCAI–2021–00195–R.

**(a) Comments Due Date**

The FAA must receive comments on this airworthiness directive (AD) by December 13, 2021.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to the Airbus Helicopters helicopters, certificated in any category, identified in paragraphs (c)(1) through (3) of this AD, all serial numbers.

(1) Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350D, EC130B4, and EC130T2 helicopters.

(2) Model AS355E, AS355F, AS355F1, AS355F2, AS355N, and AS355NP helicopters.

(3) Model SA–365C1, SA–365C2, SA–365N, SA–365N1, AS–365N2, and AS 365 N3 helicopters.

**(d) Subject**

Joint Aircraft Service Component (JASC) Code: 6200, Main Rotor System.

**(e) Unsafe Condition**

This AD was prompted by a report of increased vibration during flight on an Airbus Helicopters Model AS 365 helicopter. Subsequent investigation found a total loss of tightening torque of one screw connecting the main rotor (MR) pitch rod to the horn of its upper link, which led to abnormal wear of the screw and consequently increased the vibrations coming from the MR control chain to the pilot's flight controls. The FAA is issuing this AD to address loss of tightening torque of the screws connecting the MR pitch rods to the horns of the upper links. The unsafe condition, if not addressed, could result in loss of one or more MR pitch rod upper links, possibly resulting in loss of control of the helicopter.

**(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 Union Aviation Safety Agency (EASA) AD 2021–0048, dated February 16, 2021 (EASA AD 2021–0048).

**(h) Exceptions to EASA AD 2021–0048**

(1) Where EASA AD 2021–0048 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(2) Where EASA AD 2021–0048 refers to its effective date, this AD requires using the effective date of this AD.

(3) Where the service information referenced in EASA AD 2021–0048 specifies discarding parts, this AD requires removing those parts from service.

(4) This AD does not mandate compliance with the “Remarks” section of EASA AD 2021–0048.

(5) Where a work card in the service information referenced in EASA AD 2021–0048 specifies returning a part to the manufacturer, this AD does not include that requirement.

(6) *For Model AS350 helicopters:* For the visual inspection of the pitch rod upper link, where a work card in the service information referenced in EASA AD 2021–0048 specifies to do an inspection of a pitch rod body for any dent, impact, scratch, or corrosion, and any dent, impact, scratch, or corrosion is found, this AD requires replacing the pitch rod before further flight.

(7) *For Model AS355 helicopters:* For the visual inspection of the pitch rod upper link, where a work card in the service information referenced in EASA AD 2021–0048 specifies to do an inspection of a pitch rod body for any impact, scratch, strike, or corrosion, and any impact, scratch, strike, or corrosion is found, this AD requires replacing the pitch rod before further flight.

(8) *For Model SA365 helicopters:* For the visual inspection of the pitch rod upper link, where a work card in the service information referenced in EASA AD 2021–0048 specifies to “check bonding and state retaining ring on the pitch rods,” and any discrepancy (*e.g.*, disbonding) is found and no corrective action is specified, before further flight, contact the Manager, General Aviation & Rotorcraft Section, International Validation Branch FAA; or EASA; or Airbus Helicopters' EASA Design Organization Approval (DOA); for approved corrective actions, and accomplish those actions before further flight. If approved by the DOA, the approval must include the DOA-authorized signature.

(9) *For Model SA365 helicopters:* For the visual inspection of the pitch horn, if any discrepancy (corrosion, scratch, impact, crack, or debonded retaining ring) is found during the inspection of the pitch horn and there is no corrective action specified in the work card in the service information referenced in EASA AD 2021–0048, before further flight, contact the Manager, General Aviation & Rotorcraft Section, International

Validation Branch, FAA; or EASA; or Airbus Helicopters' EASA DOA; for approved corrective actions, and accomplish those actions before further flight. If approved by the DOA, the approval must include the DOA-authorized signature.

(10) *For Model AS365 helicopters:* For the visual inspection of the pitch horn, where a work card in the service information referenced in EASA AD 2021–0048 specifies to do a dye penetrant inspection “if in doubt,” this AD requires doing a dye penetrant inspection.

(11) *For Model AS350 and EC130 helicopters:* Where a work card in the service information referenced in EASA AD 2021–0048 refers to “the pitch change lever,” for this AD, that term is equivalent to “pitch horn.”

**(i) No Reporting Requirement**

Although the service information referenced in EASA AD 2021–0048 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

**(j) Special Flight Permit**

Special flight permits, as described in 14 CFR 21.197 and 21.199, are prohibited.

**(k) Alternative Methods of Compliance (AMOCs)**

(1) 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 local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (l)(2) of this AD. Information may be emailed to: [9-AVS-AIR-730-AMOC@faa.gov](mailto:9-AVS-AIR-730-AMOC@faa.gov).

(2) 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.

**(l) Related Information**

(1) For EASA AD 2021–0048, 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 view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. This material may be found in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0947.

(2) For more information about this AD, contact Andrea Jimenez, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228–7330; email [andrea.jimenez@faa.gov](mailto:andrea.jimenez@faa.gov).

Issued on October 22, 2021.

**Lance T. Gant,**

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

[FR Doc. 2021-23515 Filed 10-28-21; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2021-0945; Project Identifier MCAI-2021-01033-T]

RIN 2120-AA64

#### Airworthiness Directives; Airbus SAS Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to supersede Airworthiness Directive (AD) 2021-11-23, which applies to certain Airbus SAS Model A350-941 and -1041 airplanes. AD 2021-11-23 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, and, for certain airplanes, and updating the hydraulic monitoring system to include additional redundancy. Since the FAA issued AD 2021-11-23, the FAA has determined that new or more restrictive airworthiness limitations are necessary. This proposed AD would require 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). This proposed AD would also revise the applicability to include different airplanes. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by December 13, 2021.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://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:* Deliver to Mail address above between 9 a.m. and 5

p.m., Monday through Friday, except Federal holidays.

For EASA material that will be 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 <https://ad.easa.europa.eu>. You may view this IBR 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. EASA material is also available in the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0945.

#### Examining the AD Docket

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0945; 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 NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3225; email [dan.rodina@faa.gov](mailto:dan.rodina@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2021-0945; Project Identifier MCAI-2021-01033-T" at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend the proposal because of those comments.

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agency will also post a report summarizing each substantive verbal contact received about this proposed AD.

#### Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Dan Rodina, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3225; email [dan.rodina@faa.gov](mailto:dan.rodina@faa.gov). Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

#### Background

The FAA issued AD 2021-11-23, Amendment 39-21585 (86 FR 40932, July 30, 2021) (AD 2021-11-23), for certain Airbus SAS Model A350-941 and -1041 airplanes. AD 2021-11-23 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations and, for certain airplanes, updating the hydraulic monitoring system to include additional redundancy. The FAA issued AD 2021-11-23 to address the overheating failure mode of the hydraulic engine-driven pump, which may cause a fast temperature rise of the hydraulic fluid, and, if combined with an inoperative fuel tank inerting system, could lead to an uncontrolled overheat of the hydraulic fluid, possibly resulting in ignition of the fuel-air mixture of the affected fuel tank.

#### Actions Since AD 2021-11-23 Was Issued

Since the FAA issued AD 2021-11-23, the FAA has determined that new or more restrictive airworthiness limitations are necessary.

EASA, which is the Technical Agent for the Member States of the European