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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2024-1694; Project Identifier MCAI-2024-00016-T; Amendment 39-22845; AD 2024-19-03]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Airbus SAS Airplanes**

#### **AGENCY:**

Federal Aviation Administration (FAA), DOT.

#### **ACTION:**

Final rule.

#### **SUMMARY:**

The FAA is superseding Airworthiness Directive (AD) 2023-12-03 and AD 2023-04-05, which applied to certain Airbus SAS Model A350-941 and -1041 airplanes. AD 2023-12-03 and AD 2023-04-05 required revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This AD continues to require all actions in AD 2023-12-03 and certain actions in AD 2023-04-05, and 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. The FAA is issuing this AD to address the unsafe condition on these products.

#### **DATES:**

This AD is effective November 15, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 15, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of August 7, 2023 ([88 FR 42598](#), July 3, 2023; corrected August 7,

2023 ([88 FR 52024](#))).

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of April 10, 2023 ([88 FR 13668](#), March 6, 2023).

## ADDRESSES:

*AD Docket:* You may examine the AD docket at *regulations.gov* under Docket No. FAA-2024-1694; 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.

### *Material Incorporated by Reference:*

- For EASA material 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); website [easa.europa.eu](http://easa.europa.eu). You may find this 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 at [regulations.gov](http://regulations.gov) under Docket No. FAA-2024-1694.

## FOR FURTHER INFORMATION CONTACT:

Dat Le, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; email [dat.v.le@faa.gov](mailto:dat.v.le@faa.gov).

## SUPPLEMENTARY INFORMATION:

### Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend [14 CFR part 39](#) to supersede AD 2023-12-03, Amendment 39-22461 ([88 FR 42598](#), July 3, 2023; corrected August 7, 2023 ([88 FR 52024](#))) (AD 2023-12-03), and AD 2023-04-05, Amendment 39-22352 ([88 FR 13668](#), March 6, 2023) (AD 2023-04-05). AD 2023-12-03 and AD 2023-04-05 applied to certain Airbus SAS Model A350-941 and -1041 airplanes. AD 2023-12-03 and AD 2023-04-05 required revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. AD 2023-12-03 specified that accomplishing the revision required by that AD terminated certain requirements of AD 2023-04-05. The FAA issued AD 2023-12-03 and AD 2023-04-05 to address reduced structural integrity of the airplane.

The NPRM published in the **Federal Register** on June 26, 2024 ([89 FR 53364](#)). The NPRM was prompted by AD 2024-0005, dated January 5, 2024, issued by EASA, which is the Technical Agent for the Member States of the European Union (EASA AD 2024-0005) (also referred to as the MCAI). The MCAI states that new or more restrictive airworthiness limitations have been developed.

In the NPRM, the FAA proposed to continue to require all actions in AD 2023-12-03 and certain actions in AD 2023-04-05, and to require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, as specified in EASA AD 2024-0005. The FAA is issuing this AD to address reduced structural integrity of the airplane. The unsafe condition, if not addressed, could result in loss of structural integrity of the airplane.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA-2024-1694.

## Discussion of Final Airworthiness Directive

### Comments

The FAA received a comment from Air Line Pilots Association, International (ALPA) who supported the NPRM without change.

### Conclusion

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered the comment received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on this product. 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.

### Material Incorporated by Reference Under [1 CFR Part 51](#)

EASA AD 2024-0005 specifies new or more restrictive airworthiness limitations for airplane structures and safe life limits.

This AD also requires EASA AD 2023-0004, dated January 6, 2023, which the Director of the Federal Register approved for incorporation by reference as of August 7, 2023 ([88 FR 42598](#), July 3, 2023; corrected August 7, 2023 ([88 FR 52024](#))).

This AD also requires EASA AD 2022-0125, dated June 28, 2022, which the Director of the Federal Register approved for incorporation by reference as of April 10, 2023 ([88 FR 13668](#), March 6, 2023).

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 31 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

The FAA estimates the total cost per operator for the retained actions from AD 2023-12-03 to be \$7,650 (90 work-hours × \$85 per work-hour).

The FAA has determined that revising the existing maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate.

The FAA estimates the total cost per operator for the new actions to be \$7,650 (90 work-hours × \$85 per work-hour).

### **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:

**a.** Removing Airworthiness Directive (AD) 2023-04-05, Amendment 39-22352 ( [88 FR 13668](#), March 6, 2023); and AD 2023-12-03, Amendment 39-22461 ( [88 FR 42598](#), July 3, 2023; corrected August 7, 2023 ( [88 FR 52024](#) )); and

**b.** Adding the following new AD:

**2024-19-03 Airbus SAS:** Amendment 39-22845; Docket No. FAA-2024-1694; Project Identifier MCAI-2024-00016-T.

#### (a) Effective Date

This airworthiness directive (AD) is effective November 15, 2024.

#### (b) Affected ADs

This AD replaces AD 2023-04-05, Amendment 39-22352 ( [88 FR 13668](#), March 6, 2023) (AD 2023-04-05); and AD 2023-12-03, Amendment 39-22461 ( [88 FR 42598](#), July 3, 2023; corrected August 7, 2023 ( [88 FR 52024](#) )) (AD 2023-12-03).

#### (c) Applicability

This AD applies to Airbus SAS Model A350-941 and -1041 airplanes, certificated in any category, with an original airworthiness certificate or original export certificate of airworthiness issued on or before November 30, 2023.

#### (d) Subject

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

#### (e) Unsafe Condition

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address reduced structural integrity of the airplane. The unsafe condition, if not addressed, could result in loss of structural integrity of the airplane.

#### (f) Compliance

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

**(g) Retained Revision of the Existing Maintenance or Inspection Program From AD 2023-04-05, With New Terminating Action**

This paragraph restates the requirements of paragraph (j) of AD 2023-04-05, with new terminating action. For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before May 2, 2022: 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 2022-0125, dated June 28, 2022 (EASA AD 2022-0125). Accomplishing the revision of the existing maintenance or inspection program required by paragraph (n) of this AD terminates the requirements of this paragraph.

**(h) Retained Exceptions to EASA AD 2022-0125**

This paragraph restates the exceptions specified in paragraph (k) of AD 2023-04-05, with no changes.

(1) Where EASA AD 2022-0125 refers to its effective date, this AD requires using April 10, 2023 (the effective date of AD 2023-04-05).

(2) The requirements specified in paragraphs (1) and (2) of EASA AD 2022-0125 do not apply to this AD.

(3) Paragraph (3) of EASA AD 2022-0125 specifies revising “the approved AMP” within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after April 10, 2023 (the effective date of AD 2023-04-05).

(4) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2022-0125 is at the applicable “thresholds” as incorporated by the requirements of paragraph (3) of EASA AD 2022-0125, or within 90 days after April 10, 2023 (the effective date of AD 2023-04-05), whichever occurs later.

(5) The provisions specified in paragraphs (4) and (5) of EASA AD 2022-0125 do not apply to this AD.

(6) The “Remarks” section of EASA AD 2022-0125 does not apply to this AD.

**(i) Retained Provisions for Alternative Actions and Intervals From AD 2023-04-05, With No Changes**

This paragraph restates the requirements of paragraph (l) of AD 2023-04-05, with no changes. Except as required by paragraphs (j) and (n) of this AD, after the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions ( *e.g.*, inspections) and intervals are allowed unless they are approved as specified in the provisions of the “Ref. Publications” section of EASA AD 2022-0125.

**(j) Retained Revision of the Existing Maintenance or Inspection Program From AD 2023-12-03, With New Terminating Action**

This paragraph restates the requirements of paragraph (g) of AD 2023-12-03, with new terminating action. For airplanes with an original airworthiness certificate or original export certificate of airworthiness issued on or before November 1, 2022: Except as specified in paragraph (k) of this AD,

comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2023-0004, dated January 6, 2023 (EASA AD 2023-0004). Accomplishing the revision of the existing maintenance or inspection program required by paragraph (n) of this AD terminates the requirements of this paragraph.

#### **(k) Retained Exceptions to EASA AD 2023-0004, With No Changes**

This paragraph restates the exceptions specified in paragraph (h) of AD 2023-12-03, with no changes.

(1) This AD does not adopt the requirements specified in paragraphs (1) and (2) of EASA AD 2023-0004.

(2) Paragraph (3) of EASA AD 2023-0004 specifies revising “the approved AMP” within 12 months after its effective date, but this AD requires revising the existing maintenance or inspection program, as applicable, within 90 days after August 7, 2023 (the effective date of AD 2023-12-03).

(3) The initial compliance time for doing the tasks specified in paragraph (3) of EASA AD 2023-0004 is on or before the applicable “associated thresholds” as incorporated by the requirements of paragraph (3) of EASA AD 2023-0004, or within 90 days after August 7, 2023 (the effective date of AD 2023-12-03), whichever occurs later.

(4) This AD does not adopt the provisions specified in paragraphs (4) of EASA AD 2023-0004.

(5) This AD does not adopt the “Remarks” section of EASA AD 2023-0004.

#### **(l) Retained Provisions for Alternative Actions and Intervals From AD 2023-12-03, With No Changes**

This paragraph restates the requirements of paragraph (i) of AD 2023-12-03, with no changes. Except as required by paragraph (n) of this AD, after the existing maintenance or inspection program has been revised as required by paragraph (j) of this AD, no alternative actions ( *e.g.*, inspections) and intervals are allowed unless they are approved as specified in the provisions of the “Ref. Publications” section of EASA AD 2023-0004.

#### **(m) Retained Terminating Action From AD 2023-12-03, With No Changes**

This paragraph restates the terminating action specified in paragraph (j) of AD 2023-12-03, with no changes. Accomplishing the actions required by paragraph (j) of this AD terminates the corresponding requirements of paragraph (g) of this AD, for the tasks identified in the material referenced in EASA AD 2023-0004 only.

#### **(n) New Revision of the Existing Maintenance or Inspection Program**

Except as specified in paragraph (o) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2024-0005, dated January 5, 2024 (EASA AD 2024-0005). Accomplishing the revision of the existing maintenance or inspection program required by this paragraph terminates the requirements of paragraphs (g) and (j) of this AD.

### **(o) Exceptions to EASA AD 2024-0005**

(1) This AD does not adopt the requirements specified in paragraphs (1) and (2) of EASA AD 2024-0005.

(2) Paragraph (3) of EASA AD 2024-0005 specifies revising “the approved AMP,” 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 2024-0005 is at the applicable “limitations” and “associated thresholds” as incorporated by the requirements of paragraph (3) of EASA AD 2024-0005, or within 90 days after the effective date of this AD, whichever occurs later.

(4) This AD does not adopt the provisions specified in paragraphs (4) and (5) of EASA AD 2024-0005.

(5) This AD does not adopt the “Remarks” section of EASA AD 2024-0005.

### **(p) New Provisions for Alternative Actions and Intervals**

After the existing maintenance or inspection program has been revised as required by paragraph (n) of this AD, no alternative actions ( *e.g.*, inspections) and intervals are allowed unless they are approved as specified in the provisions of the “Ref. Publications” section of EASA AD 2024-0005.

### **(q) Additional AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: 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 responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the International Validation Branch, mail it to the address identified in paragraph (r) of this AD. Information may be emailed to: [AMOC@faa.gov](mailto: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, 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.

### **(r) Additional Information**

For more information about this AD, contact Dat Le, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; email [dat.v.le@faa.gov](mailto:dat.v.le@faa.gov).

### **(s) Material Incorporated by Reference**



(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the material listed in this paragraph under [5 U.S.C. 552\(a\)](#) and [1 CFR part 51](#).

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(3) The following material was approved for IBR on November 15, 2024.

(i) European Union Aviation Safety Agency (EASA) AD 2024-0005, dated January 5, 2024.

(ii) [Reserved]

(4) The following material was approved for IBR on August 7, 2023 ([88 FR 42598](#), July 3, 2023; corrected August 7, 2023 ([88 FR 52024](#))).

(i) EASA AD 2023-0004, dated January 6, 2023.

(ii) [Reserved]

(5) The following material was approved for IBR on April 10, 2023 ([88 FR 13668](#), March 6, 2023).

(i) EASA AD 2022-0125, dated June 28, 2022.

(ii) [Reserved]

(6) For EASA material 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); website [easa.europa.eu](http://easa.europa.eu). You may find this EASA material on the EASA website at [ad.easa.europa.eu](http://ad.easa.europa.eu).

(7) 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.

(8) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit [www.archives.gov/federal-register/cfr/ibr-locations](http://www.archives.gov/federal-register/cfr/ibr-locations) or email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov).

Issued on September 11, 2024.

Suzanne Masterson,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[[FR Doc. 2024-23540](#) Filed 10-10-24; 8:45 am]

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