

[Federal Register Volume 86, Number 190 (Tuesday, October 5, 2021)]

[Rules and Regulations]

[Pages 54801-54803]

From the Federal Register Online via the Government Publishing Office [www.gpo.gov]

[FR Doc No: 2021-21620]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2021-0548; Project Identifier MCAI-2021-00046-T; Amendment 39-21731; AD 2021-19-13]

RIN 2120-AA64

Airworthiness Directives; ATR-GIE Avions de Transport Régional Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all ATR-GIE Avions de Transport Régional Model ATR42-500 and ATR72-212A airplanes. This AD was prompted by reports indicating that certain Thales global positioning system (GPS) satellite based augmentation system (SBAS) receivers provided, under certain conditions, erroneous outputs on aircraft positions. This AD requires replacing affected GPS SBAS receivers with new, improved receivers, 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 9, 2021.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 9, 2021.

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; internet www.easa.europa.eu. You may find this IBR material on the EASA website at <https://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 <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0548.

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0548; 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: Shahram Daneshmandi, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3220; email: shahram.daneshmandi@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2021-0013, dated January 13, 2021 (EASA AD 2021-0013) (also referred to as the MCAI), to correct an unsafe condition for all ATR-GIE Avions de Transport Régional Model ATR42-500 and ATR72-212A airplanes.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all ATR-GIE Avions de Transport Régional Model ATR42-500 and ATR72-212A airplanes. The NPRM published in the Federal Register on July 7, 2021 (86 FR 35697). The NPRM was prompted by reports indicating that Thales GPS SBAS receivers provided, under certain conditions, erroneous outputs on aircraft positions. The NPRM proposed to require replacing affected GPS SBAS receivers with new, improved receivers, as specified in EASA AD 2021-0013.

The FAA is issuing this AD to address erroneous aircraft position outputs from the GPS SBAS receivers, which could result in controlled flight into terrain, and consequent loss of control of the airplane. See the MCAI for additional background information.

Discussion of Final Airworthiness Directive

Comments

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

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 AD

AD 2020-08-02, Amendment 39-21108 (85 FR 20586, April 14, 2020) (AD 2020-08-02) applies to certain Thales GPS SBAS receivers installed on airplanes (including Model ATR42-500 and ATR72-212A) and helicopters. AD 2020-08-02 requires the installation of a software update to the aircraft navigation database and insertion of a change to the applicable airplane flight manual (AFM). The FAA issued AD 2020-08-02 to address erroneous aircraft position outputs from the affected Thales GPS SBAS receivers, which could result in controlled flight into terrain and loss of the aircraft. AD 2020-08-02 corresponds to EASA AD 2019-0004, dated January 11, 2019. Upon completion of EASA AD 2021-0013 by Model ATR42-500 and ATR72-212A airplanes, all requirements of EASA AD 2019-0004 are effectively terminated for those airplanes.

Related Service Information Under 1 CFR Part 51

EASA AD 2021-0013 describes procedures for replacing certain GPS SBAS receivers with new, improved receivers. 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 15 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
2 work-hours × \$85 per hour = \$170	\$0 *	\$170	\$2,550

The manufacturer will provide replacement receivers at no cost to the operators. The FAA has received no definitive data on which to base the cost estimates for these parts.

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:



2021-19-13 ATR-GIE Avions de Transport Régional: Amendment 39-21731; Docket No. FAA-2021-0548; Project Identifier MCAI-2021-00046-T.

(a) Effective Date

This airworthiness directive (AD) is effective November 9, 2021.

(b) Affected ADs

This AD affects AD 2020-08-02, Amendment 39-21108 (85 FR 20586, April 14, 2020) (AD 2020-08-02).

(c) Applicability

This AD applies to all ATR-GIE Avions de Transport Régional Model ATR42-500 and ATR72-212A airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 34, Navigation.

(e) Reason

This AD was prompted by reports that Thales global positioning system (GPS) satellite based augmentation system (SBAS) receivers provided, under certain conditions, erroneous outputs on aircraft positions. The FAA is issuing this AD to address the potential for these erroneous outputs, which could result in controlled flight into terrain, and consequent 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, European Union Aviation Safety Agency (EASA) AD 2021-0013, dated January 13, 2021 (EASA AD 2021-0013).

(h) Exceptions to EASA AD 2021-0013

(1) Where EASA AD 2021-0013 refers to its effective date, this AD requires using the effective date of this AD.

(2) The requirements specified in paragraphs (2) and (3) of EASA AD 2021-0013 do not apply to this AD. Instead, the airplane flight manual (AFM) changes required by AD 2020-08-02 must be

removed from the existing AFM before further flight after compliance with all other actions required by this AD.

(3) The “Remarks” section of EASA AD 2021-0013 does not apply to this AD.

(i) Terminating Action for AD 2020-08-02

Accomplishment of this AD terminates all requirements of AD 2020-08-02 for Model ATR42-500 and ATR72-212A airplanes.

(j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, Large Aircraft Section, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the Large Aircraft Section, International Validation Branch, send it to the attention of the person identified in paragraph (k) 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 ATR-GIE Avions de Transport Régional's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Related Information

For more information about this AD, contact Shahram Daneshmandi, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3220; email: shahram.daneshmandi@faa.gov.

(l) 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 2021-0013, dated January 13, 2021.

(ii) [Reserved]

(3) For EASA AD 2021-0013, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email ADs@easa.europa.eu; internet www.easa.europa.eu. You may find this EASA AD on the EASA website at <https://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, or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on September 7, 2021.
Lance T. Gant,
Director, Compliance & Airworthiness Division, Aircraft Certification Service.
[FR Doc. 2021-21620 Filed 10-4-21; 8:45 am]