COMMENT RESPONSE DOCUMENT

EASA PAD No. 16-101

[Published on 14 July 2016 and officially closed for comments on 11 August 2016]

Commenter 1: Lufthansa Technik – John Donegan – 14/07/2016

Comment # 1

LHT requests an additional clarification be added to the standard text of ADs: "The use of later approved revisions or variations of these documents is acceptable for compliance with the requirements of this AD". An additional sentence/clarification is warranted to highlight the EASA position regarding subsequent publication of less restrictive compliance times. "Compliance times published in later revisions or variations of these documents may not be used, if they are less restrictive than those required by this AD, until such time as a new AD or an AMOC is issued".

From previous contact with EASA it was confirmed that EASA does not recognize less restrictive compliance times published in later revisions of SBs as complying with an AD. A new AD must be issued to grant permission to use them. The current wording of the ADs is not clear in this regard and there are many operators who are not aware of this situation. The "use" of a later revision could be interpreted to include any less restrictive compliance times.

Kind Regards for considering the comments. The aim is to ensure transparency.

EASA response:

Comment not agreed. In the case of an SB, in nearly all cases, the AD itself contains the compliance time(s), which means that, if an SB is revised to change its compliance times (it should be noted that an SB is – by itself – a 'recommendation' of the design approval holder, and does NOT contain legal requirements), this would likely create a conflict with the existing AD. In nearly all cases, the AD would be revised to confirm the allowed extended compliance times as being acceptable. Until such time as the revised AD becomes effective, the original AD compliance times remain in force.

For ALS, however, a different scenario is in place. Since EASA directly reviews and approves changes to ALS tasks, the use of any 'later variation' would be acceptable to comply with the current AD. This is irrespective of whether the compliance times have been reduced or extended. Clearly, any increase in requirements in such a 'later variation' (new tasks, reduced compliance times, etc.) would NOT be required, until such time as a new AD would be issued to make that clear. This does not prevent an operator from using the 'EASA approved data' in the variation for updating the AMP.

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No changes will be made to the Final AD in response to this comment.

Commenter 2: Lufthansa Technik – John Donegan – 03/08/2016

Comment # 2

A. Since publication of PAD 16-101, Airbus has issued ALS Part 2 Revision 1 Variation 1.2 (JUL 22/16) with very strict implementation times. LHT recommends that the AD considers this Variation.

B. PAD 16-101 states that the use of later approved revisions or variations of these documents is acceptable for compliance with the requirements of this AD. Please confirm if the following statements are true:

   1. Escalated compliance times in the later approved revisions or variations can be immediately adopted by the operator into the AMP following publication by Airbus, even before a new AD is published.
   2. Deleted tasks in the later approved revisions or variations can be immediately deleted in the operator AMP, cancelling the inspection requirements, before a new AD is published.

EASA response:

Comment understood. The PAD is revised to make this Variation part of the proposed required actions.

Both commenter's statements (B.1 and B.2) are correct. See also the EASA answer to Comment #1 above.

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