


EASA	COMMENT RESPONSE DOCUMENT
	EASA PAD No. 12-015 [Published on 15 February 2012 and officially closed for comments on 14 March 2012]

Commenter 1: CityJet / VLM Airlines N.V. – Vincent Simmerok – 07.03.12

Comment # 1

According to the Required Action(s) and Compliance Time(s), item 1 the modification must be performed “At the next scheduled opening of the fuel tanks after the effective date of this AD”. Would it be possible to link this requirement to a specific, existing MRB Task, thereby indicating the exact moment of the next scheduled fuel tank opening? This would eliminate any possibility for confusion or discussion about the exact definition of the “next scheduled tank opening”. Fokker Services could determine the current MRB tasks requiring tank openings and choose the task with the most appropriate interval.

EASA response:

In principle, the required actions can be linked to existing MRB Tasks. However, a relatively high number of MRB Tasks in which the fuel tanks are opened would need to be listed: an initial check identified 15 such Tasks and this may not be complete. In addition, some of these Tasks are linked to Flight Hours, some to Flight Cycles, and some to calendar time. The compliance statement would thus become very complex, as all these aspects would need to be taken into account.

Only the party responsible for scheduling the maintenance is in the position to determine precisely which of the scheduled maintenance activities involving opening of the fuel tanks is the first one after the effective date of the AD.

No changes have been made to the Final AD in response to this comment.

Commenter 2: Fokker Services B.V. – Jan Pinson – 13.03.12

Comment # 2

Fokker Services published several service bulletins related to fuel tank safety (FTS).

Before the first FTS related service bulletin was published, the general compliance terms were discussed with EASA. Several continued airworthiness aspects were considered, including those related to unscheduled opening of tanks but it was finally agreed that any FTS related modification in a fuel tank and every subsequent related Fuel ALI inspection in the fuel tank must be performed when all tank access covers for that tank are removed for a scheduled tank inspection.

Based on that general agreement and following much consultation between Fokker Services and EASA, the wording of the compliance paragraphs in the FTS related service bulletins issued by Fokker Services and also the wording in the EASA AD's for those FTS related SB's was defined and agreed in more detail.

Fokker Services subsequently issued publications (other than service bulletin) to inform operators about the (intention of the) compliance terms.

Since then, every EASA AD's was published with the same format/wording for the Required Action(s) and Compliance Time(s) (RACT) paragraph, including:

- "At a scheduled opening of the fuel tanks, but not later than xxx months after the effective date ..." for the RACT subparagraph related to the accomplishment of the modification itself.
- "Within yyy months after modification ..." for the RACT subparagraph related to the Fuel ALI interval for that modification.
- "After modification of an aeroplane ..." for the RACT subparagraph related to the Critical Design Configuration Control Limitation (CDCCL) for that modification.

However, soon after publication of AD 2011-0227 and -0228 (which PAD 12-015 intends to supersede), following comment from an operator on 3 January 2012, it was discovered that both these AD's were issued with the CDCCL related RACT subparagraph stating "From the effective date of this AD .." instead of "After modification of an aeroplane ...". Both AD's address the same unsafe condition but on different Fokker aircraft models.

Already 1 week later, on 10 January 2012, revision 1 of AD 2011-0227 was issued to correct the subject RACT subparagraph.

A similar revision 1 was expected for AD 2011-0228 however instead this PAD 12-015 was issued for an AD that will supersede AD 2011-0228. Furthermore with this PAD, not only the subject CDCCL related RACT subparagraph is changed but also the RACT subparagraph 1 is changed from "At a scheduled opening of the fuel tanks, but not later than 156 months after the effective date ..." to "At the next scheduled opening of the fuel tanks after the effective date ...".

Fokker Services requests EASA to cancel this PAD and (similar to the action taken for AD 2011-0227) issue a revision 1 of AD 2011-0228 to only correct the CDCCL related RACT subparagraph in AD 2011-0228 because:

- only the CDCCL related RACT subparagraph in AD 2011-0228 (and -0227) is not in accordance with the wording agreed between EASA and Fokker Services.
- the comment from the operator was related to that RACT subparagraph only.
- the wording in RACT subparagraph 1 of AD 2011-0228 (and -0227) is the wording defined and agreed (after much consultation) between EASA and Fokker Services.
- no comments were received from any operator on RACT subparagraphs 1 of any AD which demonstrates that (the intention) of that subparagraph is clear.
- this sudden unexpected change to RACT subparagraph 1 will result in unnecessary confusion at several operators and consequently questions to EASA and Fokker Services.
- Fokker Services received information that EASA does not want to change the intention of RACT subparagraph 1 anyhow (the modification must still be accomplished when all tank access covers are removed for a scheduled tank inspection).

EASA response:

EASA agrees with the commenter that any FTS related actions in a fuel tank and every subsequent related Fuel ALI inspections in the fuel tank must be performed when all tank access covers for that tank are removed for a scheduled tank inspection; in other words, the FTS related actions should not lead to additional fuel tank openings.

When it was proposed to correct in AD 2011-0228 the RACT paragraph (4), related to the CDCCL (change "From the effective date of this AD .." into "After modification of an aeroplane ..."), the entire RACT section of the AD was again reviewed. It was found that the text that resulted from earlier communications between Fokker Services and EASA was open to incorrect interpretations. It was then decided to introduce the modified text as presented in PAD No.12-015. EASA is of the opinion that the modified text is much clearer than the text in AD 2011-0228 and that it prevents the misunderstanding that the action could be performed at a second or later scheduled opening of the fuel tanks following the effective date of the AD. Therefore, EASA does not agree to Fokker Services' proposal for cancellation of this PAD and will proceed with the official publication of the Final AD.

No changes have been made to the Final AD in response to this comment.

