



COMMENT RESPONSE DOCUMENT

EASA PAD No. 16-042

[Published on 18 February 2016 and officially closed for comments on 15 April 2016]

Commenter 1: Delta – David Fosse – 30/03/2016

Comment # 1

Delta's comment on 16-042 is that Required Action(s) and Compliance Time(s) para (3) Aircraft Maintenance Programme (AMP) Revision: should be clarified to state: Within 12 months after the effective date of this AD, revise the approved aircraft maintenance programme (AMP), on the basis of which the operator or the owner ensures the continuing airworthiness of each operated aeroplane, by incorporating the applicable limitations, maintenance tasks and associated thresholds and intervals described in the applicable ALS.

The inclusion of the work "applicable" clarifies the operator needs to update their AMP with ONLY applicable tasks, not all tasks from the ALS.

EASA response:

Comment agreed. Final AD will be amended accordingly.

Commenter 2: Aer Lingus – Ken Delaney – 31/03/2016

Comment # 2

Point 1) Regarding 'Note 2:' Page 3 of 3 of PAD:

There appears to be a typo in the regulation referenced (see below)

Note 2: For affected Airbus A330 and A340 aeroplanes registered in Europe, complying with the approved AMP as specified in paragraph (3) or (4) of this AD, as applicable, is required by Commission Regulation (EU) No [1321/2014](#), **Part M.A.301, paragraph 3.**

Ref. Publications:



a) EIN believe this should most likely read; Part M.A.302, paragraph 3.

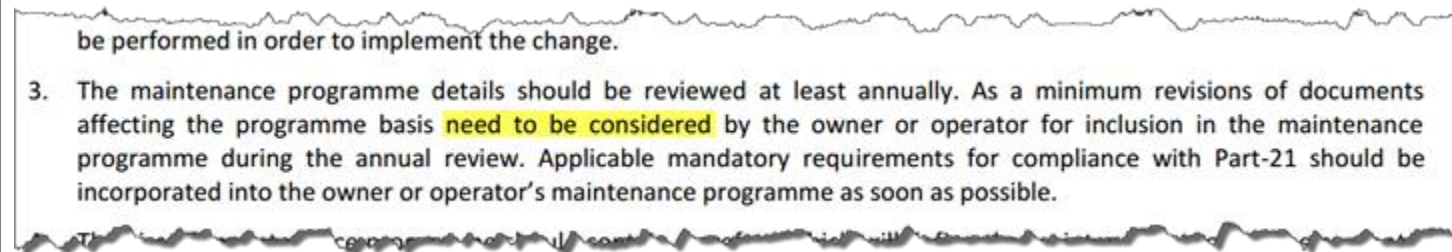
b) EIN also believe the relationship between the Part-M regulation and the AD mandating the ALS (as currently written in the PAD) is inappropriate, and introduces more penalising restrictions. This is explained in item 2) below.

Point 2) Regarding Para (3) relating to 'Aircraft Maintenance Programme (AMP) Revision' EIN believe:

It is not appropriate to have a 12 months compliance time period that mandates; "...incorporating the limitations, maintenance tasks and associated thresholds and intervals described in the applicable ALS." Into the operators AMP, for the following reasons;

a) As this '12 Month' implementation limit is not defined within any of the ALS documents, EIN assumes this new requirement was added (by Airbus / the EASA?) due to consideration of PART-M, M.A.302;

EASA Part-M regulation extract



b) This 'Implementation' limit is more restrictive than the compliance times listed in the ALS documents (see ALS Part 2 and Variation 1.1 examples below). At the moment (Per the published ALS), operators only need to 'review' the ALS document changes and ensure the 'applicable tasks' are accomplished prior to the compliance times. For Example; In the ALS examples below, operators need only ensure that the applicable tasks are 'accomplished' prior to 'JUN 15/17' and 'NOV 30/17' per ALS PT 2, Rev 01 and A330 ALS Part 2, Variation 1.1 respectively. Technically, this can be effectively be done by 'implementing' the task in the operators AMP one week before the 'compliance time date' and accomplishing the task the day before the 'compliance time date'. By publishing the proposed wording (see PAD extract below), operators will be mandated to 'incorporate' ALL limitations & tasks (Including Not Applicable N/A items) within a 12 month period, rather than being mandated to review and consider for inclusion within the AMP (which is in line with Part-M, AMC M.A.302, para 3.).

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- (3) **Aircraft Maintenance Programme (AMP) Revision:** Within 12 months after the effective date of this AD, revise the approved aircraft maintenance programme (AMP), on the basis of which the operator or the owner ensures the continuing airworthiness of each operated aeroplane, by incorporating the limitations, maintenance tasks and associated thresholds and intervals described in the applicable ALS.

(4) **Credit:** For an AMP that, on the effective date of this AD, is already updated to incorporate the

A330 ALS Part 2, Rev 01 (ISS 02) extract

AIRWORTHINESS LIMITATIONS SECTION

COMPLIANCE TIME

Airbus anticipates that a dedicated Airworthiness Directive (AD) will be released to mandate the update of the Operators approved Maintenance Program (OMP) according to Airbus A330 ALS Part 2 Revision 01. The compliance chapter of this future AD will give an implementation period for introduction of the new or revised instructions and airworthiness limitations introduced by this Revision in the OMP. Airbus recommends Operators to consider the implementation of these changes in the OMP at the next scheduled opportunity in order to anticipate future AD requirements.

The maintenance tasks in SECTION 3 shall be accomplished prior to the new/revised airworthiness limitations provided in this A330 ALS Part 2 Revision 01.

The compliance times below are given for aircraft having exceeded or close to exceed the new/reduced airworthiness limitations provided in this A330 ALS Part 2 Revision 01.

Except as provided in the table below, the maintenance tasks in SECTION 3 shall be accomplished prior to the new/reduced airworthiness limitations provided in this A330 ALS Part 2 Revision 01 or by JUN 15/17, whichever occurs later, without exceeding the airworthiness limitations published in the A330 ALI Document issue 19 if existing.

SECTION	REV CODE	ITEMS	VARIATION NUMBER	COMPLIANCE TIME (*)	COMPLIANCE TIME APPLICABILITY
3.1/3.2	N	523110-01-01	19.2	MAY 01/16	Task applicability
3.1/3.2	N	523110-01-02	19.2	MAY 01/16	Task applicability

A330 ALS Part 2, Variation 1.1 extract



below as advanced information for Operators in order to anticipate future AD requirements.

These compliance times below are given for aircraft having exceeded or close to exceed the new/reduced airworthiness limitations provided in this Variation.

ITEM	COMPLIANCE TIME (*)	COMPLIANCE TIME APPLICABILITY
532015-01-01	MAY 31/17	Task applicability
532186-01-01	MAY 31/17	Task applicability
532186-01-02	MAY 31/17	Task applicability
533017-01-02	NOV 30/17	Task applicability
533039-01-01	NOV 30/17	Task applicability except for the MSN below
	MAY 31/17	MSN 60

c) Operators are fully aware of their regulatory obligations in relation to Part-M requirements, and are regularly audited by their NAA to ensure compliance. Therefore, mandating the Part-M requirement within an Airworthiness Directive (normally only issued for 'A/C Safety' related items) seems inappropriate.

Point 3) Regarding the PAD wording in general:

- a) The previous AD's mandating ALS provided much more clarity, as they simply redirected the operator to comply with the related ALS part.
- b) In EIN's opinion; This new (PAD) format could be written more clearly throughout, without needlessly introducing ambiguity.

EASA response:

Point 1 a) Comment not agreed. The reference to 'Commission Regulation (EU) No [1321/2014](#), Part M.A.301, paragraph 3' is correct, as this regulation requires the operator to comply with the approved AMP.

Point 1 b) Comment understood, but not agreed. Please note that an ALS Revision cannot be considered 'required' by itself. Granted, in Europe, regulation exists (Part M) to make clear that an aircraft maintenance programme must 'demonstrate compliance' with ICA (which is understood to include ALS), but that regulation leaves unclear (i.e. open to interpretation) exactly when an operator must demonstrate compliance with that ALS revision, i.e. when that new ALS revision must be incorporated. This, plus the fact that such regulation may not exist in countries outside Europe, is one reason why there are ADs for ALS revisions. The other reason is that EASA has a 'State of Design' responsibility to notify (potential) unsafe conditions to other authorities, the AD being the chosen method for this notification. The AD compliance time (for the administrative action to update the AMP) takes precedence over the date in the ALS.

Point 2 a) Comment not agreed. The AD does not contain (references to) any actions or compliance times that are 'more penalising' than those in the ALS itself. The AD simply confirms that the actions described in the ALS are legally required and specifies when (12 months) those actions must be incorporated into the AMP. The update of the AMP is an 'administrative' task, unrelated to the compliance time(s) for individual on-aircraft tasks.



Point 2 b) Comment not agreed. See EASA answer to Point 2 a) above.

Point 2 c) Not agreed. It is true that Part M is a legal obligation in Europe, but EASA ADs are also adopted by Foreign authorities outside of Europe, where Part M is not applicable. Hence the need to require this action with this AD. See also EASA answer to Point 1 b) above.

Point 3 a) Comment understood, but not agreed. The previous AD writing standard did not include a 'closing' date for the administrative update of the AMP – which is the only way to demonstrate 'full' AD compliance. This was perceived by operators as difficult to manage, and impossible for NAAs to 'enforce' upon an operator.

Point 3 b) Comment not agreed. In EASA view, there is no ambiguity, and the AD does not contain any inconsistencies with the ALS, except the introduction of the 'administrative' requirements to update the AMP within 12 months.

No changes will be made to the Final AD in response to these comments.

Commenter 3: Lufthansa Technik – Jens Botzum – 11/04/2016

Comment # 3

Point 1.) PAD paragraph 1 (Compliance Times): In our opinion the compliance times given in A330/A340 ALS part 2 are not clearly reflected within PAD. We recommend to change the wording of Paragraph 1 to:

“From the effective date of this AD, accomplish all applicable maintenance tasks before exceeding the applicable thresholds and, thereafter, within the intervals, under consideration of compliance times as defined in the applicable ALS”.

This will clearly identify that the compliance times according ALS part 2 remain applicable.

Point 2.) PAD paragraph 2 (Corrective Actions): We assume that the approved maintenance procedures remain applicable and operators should contact Airbus in case no applicable maintenance procedures are available for a specific discrepancy. As there are no discrepancies defined within ALS part 2, we recommend to change the wording of paragraph 2 to:

“In case of discrepancies found during accomplishment of any task as required by paragraph (1) of this AD, before next flight, accomplish the applicable maintenance procedures for corrective actions in accordance with the approved maintenance documentation or contact Airbus for approved instructions and accomplish those instructions accordingly.”

EASA response:

Point 1. Comment partially agreed. Paragraph (1) and Note 1 of the Final AD will be amended in response to this comment.

Point 2. Comment partially agreed. The paragraph has been amended in accordance with the latest standard of EASA ALS ADs. The Final AD will be corrected accordingly.



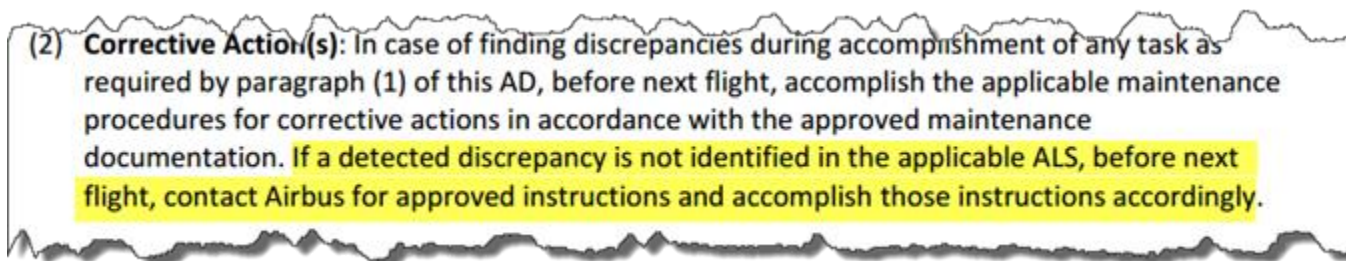
Commenter 4: AerLingus – Ken Delaney – 14/04/2016

Comment # 4

Point 1): Regarding Para (2) Corrective Action(s), highlighted sentence:

- a) “If a detected discrepancy is not identified in the applicable ALS,...” EIN believes a detected discrepancy would not be ‘identified’ in the applicable ALS (as the ALS only contains ‘reference(s)’ to inspection requirements / corrective actions). EIN suggests that this wording should state: “If *corrective action for a detected discrepancy is not identified in the applicable approved maintenance procedures, ALS*, before next flight, contact Airbus”

PAD No 16-042 extract



Point 2): Regarding Para (3), and in support of Point 2) b) of EIN’s first submission:

- a) Although the wording of the ‘ALS’ AD’s were meant to be standardised; this is not the case, as can be seen below. Para (3) of AD EU-2016-0066 states;
- “...by incorporating the applicable limitations, tasks and associated thresholds and intervals described in the ALS.” Whereas, PAD 16-042 Para (3) contains the more restrictive wording;
- “...by incorporating the limitations, maintenance tasks and associated thresholds and intervals described in the applicable ALS.” Which in effect means incorporation of ALL requirements, regardless of whether the are applicable or not. In addition, PAD No. 16-052 introduces further inconsistency (albeit with a less restrictive wording) relating to Para (3), by stating;
- “...by incorporating the limitations, tasks and associated thresholds and intervals described in the ALS, as applicable to the aeroplane configuration.”

AD No. EU-2016-0066 (A330 ALS Part 3) extract



(3) **Aircraft Maintenance Programme (AMP) Revision:** Within 12 months after the effective date of this AD, revise the approved aircraft maintenance programme (AMP), on the basis of which the operator or the owner ensures the continuing airworthiness of each operated aeroplane, by incorporating the applicable limitations, tasks and associated thresholds and intervals described in the ALS.

Point 3) Regarding Para (4):

a) EIN finds this Para very ambiguous, and does not clearly outline it's original intent.

- Credit sentence is unclear as to it's purpose
- The reference to Note 2 is obsolete (unnecessary), as by default, the tasks are already incorporated within the AMP, therefore the operators are obliged to comply with Part-M.
- The second last sentence mention 'acceptable' to accomplish (to comply with Para (1)), yet per Para (1), operators 'must' accomplish?
- The last sentence also mentions 'acceptable', but again this seems obsolete, as operators continuously incorporate tasks into their AMP from various 'source' documents, while ensuring they adhere to compliance times (if any).
- The appropriateness of the 12 month 'incorporation' period has already been raised in item 2), a) of EIN's original comments feedback (31/03/16), however in the context of this Para (4), we would again like to reiterate that the 12 month outlined (and referred to herein) is not derived from, nor published in any ALS compliance times, and is not appropriate for the purpose of an ALS Airworthiness Directive, if inserted to cover a Part-M requirement.

(4) **Credit:** For an AMP that, on the effective date of this AD, is already updated to incorporate the maintenance tasks as specified in Airbus A330 ALI Document AI/SE-M4/95A.0089/97 issue 19, or A340 ALS Part 2 Revision 01, as applicable, as previously required by EASA AD 2012-0211 and AD 2013-0127, respectively, that action ensures (see Note 2 of this AD) the continued accomplishment of those tasks.

Consequently, for an aeroplane to which that AMP applies, it is acceptable to accomplish the new and/or more restrictive tasks, as defined in the applicable ALS, to comply with paragraph (1) of this AD.

For that AMP, it is acceptable to incorporate the new and more restrictive tasks, as defined in the applicable ALS, into the AMP to comply with paragraph (3) of this AD.



Point 4): Regarding Para (5):

- a) EIN believes this Para (5) could be simplified, to more clearly meet it's original intent. Our interpretation of the paragraph is that;
for operators that have not incorporated (within their AMP) New and / or more restrictive tasks (published since A330 Issue 19 etc.), accomplishment of individual tasks must be recorded for the demonstration of AD compliance.
- b) If the above interpretation is correct, EIN believe;
- The wording should be rearranged similarly to simplify interpretation, and
 - As in the case of ALS Part 2, where tens of tasks may be performed in advance of AMP incorporation, the requirement to 'record' each task as partial closure (compliance) of the AD seems excessive, and suggest the following wording;
"for operators that have not incorporated (within their AMP) New and / or more restrictive tasks (published since e.g. A330 Issue 19 etc.), accomplishment records of individual tasks must be ~~recorded~~ available, for the demonstration of AD compliance.

(5) When the AMP of an aeroplane has been revised as required by paragraph (3) or (4) of this AD, as applicable, that action ensures (see Note 2 of this AD) continued accomplishment of the tasks as required by paragraphs (1) and (2) of this AD for that aeroplane. Consequently, after revising the AMP, as required by paragraph (3) or (4) of this AD, as applicable, it is not necessary that accomplishment of individual tasks is recorded for demonstration of AD compliance on a continued basis.

Considering the EASA intends using this 'standardized' wording for all ALS AD's, Aer Lingus believes it is important to try and make these AD's easier to interpret.

EASA response:

Point 1 a): Comment not agreed. See EASA answer to Comment # 3, Point 2) above.

Point 2 a): Comment agreed. The Final AD will be corrected accordingly.

Point 3 a): The purpose of the 'credit' paragraph is to limit the additional 'on-aircraft' actions required by paragraph (1) to those that are NOT (yet) in the AMP, i.e. the 'new or more restrictive tasks' as introduced in the latest ALS revision. If the AMP contains the existing tasks (this is by no means certain for aircraft outside Europe), that situation ensures compliance with those tasks. The other purpose is to give credit to a previous AMP update through a previous ALS revision – if the AMP is up-to-date enough that only the 'new or more restrictive tasks' are missing, then reviewing and introducing only those is acceptable to comply with paragraph (3). These credits were introduced on request from various operators and no adverse comments were received after their introduction. EASA do not see any 'ambiguity' in the way the credits are phrased. No changes will be made to the Final AD in response to this comment.

Point 4 a): Comment not agreed; Recording AD compliance is a regulatory requirements (in all countries, we believe) and it is therefore not necessary to require that by the AD itself. In fact, the purpose of this paragraph is to emphasise that, as soon as ALL the required tasks are in the AMP, the 'compliance with the AMP'



requirement (Part M) ensures the recording, but then it does not have to be recorded (anymore) as 'AD compliance'. Since EASA have not received any queries or adverse comments from NAAs (who enforce and verify AD compliance) that this is unclear, no changes will be made to the Final AD in response to this comment. Point 4 b): See EASA answer to Point 4 a) above. Paragraph (5) does not contain a requirement.

Commenter 5: Lufthansa Technik AG – John Donegan – date 22 April 2016

Comment # 5

Similar to [a previous query on AD 2015-0192] Please confirm that for an operator to be compliant with the AD (as proposed in PAD 16-042) for A330 and A340, it will be required to use the compliance limits stated in the referenced documents only:

A330 ALS Part 2 Rev. 1 Iss.02, including Variation 1.1

A340 ALS Part 2 Rev. 2, including Variation 2.1

Using A330 as an example:

We understand we cannot implement later Variations, only later revisions (i.e. a new ALS Part 2 revision (e.g. full Rev.2) or a revision to Variation 1.1. Variations are not considered Revisions, e.g. Variation 1.2 and 1.3 for A330 (planned for publication by summer 2016) are not considered revisions to Variation 1.1. For A330, if limits are changed in later Variations (either increased or decreased) they are not compliant with the intent of PAD 16-042.

Please confirm. Attached [EASA answer to query] states that compliance limit revisions need to be approved by a new AD.

EASA response:

Comment understood and partially agreed. In the meantime, Airbus issued Variation 1.2 to A330 ALS Part 2 Revision 01 at issue 02 and also issued Variation 2.2 to A340 ALS Part 2 Revision 02, that must be mandated. As the final AD has not yet been published, PAD 16-042R1 is issued and confirm that. In general, It remains acceptable to apply 'later approved variations' to the applicable ALS and still be 'compliant' with the AD. Airbus system is currently set up in a way that what is called a 'variation' to the ALS is actually a temporary revision. This was unfortunately missing in PAD 16-042 and will be added in the Final AD.

In principle, the use of any 'later approved revision' (and, in the case of ALS, a later variation) is acceptable to comply with an AD. In case of a compliance time change in the revised document, the AD needs to be revised (in case of more time) or superseded (less time). These principles are outlined in the [CAP](#).

