

EASA	COMMENT RESPONSE DOCUMENT
	EASA PAD No. 15-037 [Published on 10 April 2015 and officially closed for comments on 08 May 2015]

Commenter 1: Etihad Airways – Borja Dosal Roiz – 10/04/2015

Comment # 1

On the one hand, the ELAC B P/N 39455128XXX is non-data loading capable. This means that it is required to remove the unit in order to be sent to an Avionics shop to be upgraded to AD compliant P/N 39455128215 (L97+). Airbus RIL SA27M15001105 states that this retrofit program requires 6 weeks (42 days) overall turnaround time (TAT).

On the other hand, the ELAC B P/N 3945129100 is data loading capable, which means that the computers can be upgraded to software P/N 3945129109 (L97+) on board the aircraft taking no more than 3 hours.

Due to the difference in time required to upgrade an ELAC data loading capable compared to an ELAC non-data loading capable. Etihad considers that EASA shall split the compliance time stated in PAD 15-037 Table 1, by mandating the completion of ELAC data loading capable aircrafts on an early date and extending the compliance of non-data loading capable aircrafts beyond 24 months.

Furthermore, on the 1st April 2015 Airbus communicated to Etihad that retrofit of our non-downloadable ELACs (batch 3) will start in March 2016. If, in the best case, we assume that the AD deadline is 30th June 2017 that provides to Etihad 16 months or 486 days to comply.

Taking into account that the Turn Around Time is 6 weeks or 42 days and that Etihad has 12 non-downloadable capable aircrafts, it will take 504 days to complete the retrofit.

For this reason, Etihad propose to extend the compliance date of non-data loading capable ELACs to the 31st of December 2017.

EASA response:

Comment not accepted. EASA has been informed by Airbus that no logistical problems are anticipated regarding timely supply of replacement non-data-loadable ELACs. However, it should be noted that Airbus defined fixed calendar dates as published by SB and it is EASA rule not to mention fixed calendar dates in the AD. Based on the Final AD effective date being 01 June 2015 (originally anticipated to be 1 July), the compliance times have been extended by 1 month each to exactly match the Airbus published dates, October 31, 2015, March 31, 2016, and June 30, 2017, respectively.

Commenter 2: Jetstar Japan – Hirohisa Shibukawa – 13/04/2015**Comment # 2**

1. Paragraph (3) requires replacement of each ELAC unit with an ELAC P/N 3945129100 with L97+ software P/N 3945129109 in accordance with the instructions of Airbus SB A320-27-1243. But modification by uploading L97+ software P/N 3945129109 on Aircraft also can be done without replacement of ELAC. So Jetstar Japan would think it is better to change the wordings as following;

Option 1: Within the compliance time as defined in Table 1 of this AD, as applicable, replace each ELAC software with L97+ software P/N 3945129109 in accordance with the instructions of Airbus SB A320-27-1243, or

Option 2: Within the compliance time as defined in Table 1 of this AD, as applicable, modify each ELAC unit to an ELAC P/N 3945129100 unit with L97+ software P/N 3945129109 in accordance with the instructions of Airbus SB A320-27-1243.

The title of Table 1 of this AD is also proposed to change to ELAC L97+ Software Installation.

2. Paragraph (7) requires not to install an ELAC unit having a P/N as listed in Appendix 1 of this AD. But ELAC B dl (Data Loading) P/N 3945129100 with older software such as L97 might be installed even after modification as required by paragraph (3), provided L97+ or later software is uploaded after installation but before further flight. AMM Task 27-93-34-400-001 for installation of ELAC requires uploading ELAC software after installation. So Jetstar Japan would like AD to allow installation of ELAC B dl with software listed in Appendix 1 of this AD such as 3945129106 and 3945129108 etc but to require uploading software L97+ or later before further flight after installation.

EASA response:

1. *Comment accepted. Paragraph (3) has been amended to explicitly refer to both data-loading capable ELACs and non-data-loading capable ELACs. The Title/Subject line of the Final AD has also been amended accordingly.*
2. *Comment accepted. Paragraph (7.3) has been inserted into the Final AD accordingly.*

Commenter 3: easyJet – Mohammad Zia Rahman – 13/04/2015**Comment # 3**

1. The compliance time of 9 months given in Table 1 would be applicable to EYZ fleet. We believe this compliance time is not realistically achievable. EYZ has over 454 (mix of data loadable and non-loadable) ELAC units that would require upgrade to L97+. 308 (non-data-loadable) of these units would be upgraded in-shop by sending these units to the OEM. Based on the average Turn Around Time (TAT) currently achieved for the L97 upgrade program which is 30 days, EYZ believes the upgrade of 308 ELAC units to L97+ by the OEM within 9 months is not possible. EYZ would like to suggest a compliance time for all A319/A320 a/c with UTAS AOA to be 24 months.
2. EYZ fleet is installed with UTAS AOA. Airbus has allowed intermixing Captains & first officer AOA probes with Thales made AOA's as per SB A320-34-1610. EYZ would like to understand if EYZ applies SB A320-34-1610 to an a/c (2 out of 3 AOA's are replaced with the Thales made AOA), will this change make that a/c fall under category of "All other aeroplanes" with compliance time of 24 months to do the L97+ upgrade?

EASA response:

1. *Comment not accepted. EASA has been informed by Airbus that no logistical problems are anticipated regarding timely supply of replacement non-data-loadable ELACs. See also EASA answer to Comment # 1.*
2. *EASA confirms that the commenter's understanding is correct.*

Commenter 4: Cathay Pacific Airways Limited – Joe Chu – 14/04/2015

Comment # 4

QUOTE

Replacement of existing ELAC units by installation of ELAC L97+ P/N 3945128215 units in accordance with the instructions of Airbus SB A320-27-1244 is an acceptable method of compliance with the requirement of paragraph (3) to this AD for that aeroplane.

UNQUOTE

As in SB A320-27-1244 para L. NOTE (1) states:

NOTE (1): The Non-Datloadable ELACs L97+ PN 3945128215 is fully-interchangeable and mixable with Datloadable ELAC L97+ PN 3945129100 with operational software PN 3945129109 loaded.

HDA question is that if:

- Aircraft is delivered with ELAC B (P/N 39451282XX) and is affected by SB-27-1244
- Aircraft is currently installed with A or A' or B DL
- By retrofit policy, Aircraft has to returned to ELAC B
- ELAC B shortage

[A] In this case, will a direct replacement ELAC L97+ PN 3945129100 with operational software PN 3945129109 loaded in accordance with the instructions of Airbus SB A320-27-1244 be considered as in compliance per AD para (4)?

[additional comment sent on 16/4/2015]

[B] HDA strongly believe that a note (Identical to SB-27-1244) should be placed after PAD 15-037 Para (4).

QUOTE

The Non-Data-loadable ELACs L97+ PN 3945128215 is fully-interchangeable and mixable with Data-loadable ELAC L97+ PN 3945129100 with operational software PN 3945129109 loaded.

UNQUOTE

This will provide a flexibility mean for the AD compliance.

EASA response:

[A] The commenter misunderstands the nature of paragraph (4), which does not contain any requirements, but gives credit for another (optional)

modification which meets the requirements of paragraph (3). However, the comment regarding another acceptable P/N ELAC is valid and Note 2 has been inserted into the Final AD accordingly.

[B] See EASA answer to comment [A].

Commenter 5: China Southern Airline [received via Airbus] – Ma Guo Dong – 15/04/2015

Comment # 5

1. Airbus SB A320-34-1610 was released to allow the airlines to fly in mixed Angle of Attack configurations (UTAS and Thales). How to define the Compliance Time for an aircraft with mixed Angle of Attack configurations (UTAS and Thales) for the subject PAD?
2. ELAC B-dl has the data loading capability. Airlines can [install] the software on-wing for ELAC B-dl. So I suggest to adapt the description of paragraph (3) as following: Within the compliance time as defined in Table 1 of this AD, as applicable, replace/modify each ELAC unit with an ELAC L97+ P/N 3945129100 unit with software P/N 3945129109 in accordance with the instructions of Airbus SB A320-27-1243.
3. Could you please suggest a way for the compliance of paragraph (6)?
4. ELAC unit having a P/N as listed in Appendix 1 of the subject PAD cannot be installed on the post Mod. aircraft as the description of paragraph (7). Airlines can load the software on-wing for ELAC B-dl, so I suggest allowing the installation of the ELAC B-dl pre L97+ for load software only before the next flight. After that, the ELAC B-dl software should be updated to L97+, and then this ELAC can be used for fly.

EASA response:

1. **EASA confirms that, for the purpose of this AD (Table 1), these ‘mixed installation’ aeroplanes, modified in accordance with SB A320-34-1610, would be considered to be in the group of ‘all other aeroplanes’, having a compliance time of 24 months.**
2. **Comment accepted. Paragraph (3) has been amended accordingly. See also Comment # 2, point 1, and the corresponding EASA answer.**
3. **Paragraph (6) can be considered as a ‘generic’ AMOC to the AD, allowing, under certain conditions (as specified) to install later software (data-loadable) or later ELAC units (non-data-loadable). Contact Airbus for further details.**
4. **Comment accepted. Paragraph (7.3) has been added as an exception to the ‘do not install’ requirements of paragraphs (7.1) and (7.2). See also Comment # 2, point 2 and the corresponding EASA answer.**

No changes have been made to the Final AD in response to points 1 and 3 of this comment.

Commenter 6: British Airways – Daniel Fenwick – 16/04/2015

Comment # 6

BAW has the following comments regarding PAD 15-037.

1. Ref Para (3): All BAW aircraft fall in to the category of 'All other aeroplanes', therefore the compliance time is 24 months after the effective date of this AD. The

latest RIL from Airbus covering Airbus SB A320-27-1243 and A320-27-1244 states that materials will not be available until March 2016 for aircraft in this configuration. This seriously impacts airlines ability comply with the timescales set out in this AD. Can this be taken in to account when considering the compliance times in the final issue of this AD.

2. Ref Appendix 1: ELAC P/N 3945128207 and 3945128208 are described as ELAC B L92 data loading and ELAC B L92L data loading, however these P/N refer to ELAC B hardware, not data loading.

EASA response:

1. **Comment not accepted. EASA has been informed by Airbus that no logistical problems are anticipated regarding timely supply of replacement non-data-loadable ELACs. See also EASA answer to Comment # 1.**
2. **Comment accepted. Appendix 1 has been amended to identify these ELAC (hardware) units as 'data loadable'.**

Commenter 7: Lufthansa Technik AG – Jens Wiedau – 27/04/2015

Comment # 7

While reviewing the PAD 15-037 requirements DLH/LHT criticize the several restatements made in this PAD.

All the EASA AD's restated in this PAD are fully accomplished as the compliance time is already reached years ago! Furthermore the IPC have been revised to reflect those requirements to ensure the affected hardware & software will never be installed. Beside this, the requirements of the restatements will be fulfilled automatically by the "Concurrent Requirements" of each ELAC SB which requires to install the former standard. Consequently there is no valuable reason to introduce those restatements in the upcoming EASA AD. Please correct me if I am wrong and please be so kind to explain the reason behind? Those restatements will increase the complexity of the upcoming EASA AD which lead to a higher risk of human errors while implementing it. In addition this will create much more effort to implement it in the relevant tracking systems and of course increases the complexity to show compliance to this document.

So as mentioned, DLH/LHT requests to delete the restatements based on the above mentioned facts and in order to focus on the new requirements. Please have also in mind this new requirements is enough burden for the operators so the correction action should be focused as described.

EASA response:

Comment understood, but not agreed. EASA cannot (afford to) assume that, when AD compliance time has expired, all aircraft worldwide have indeed been modified and made compliant. In addition, EASA cannot assume that all operators faithfully 'comply' with the latest CMM and IPC revision(s). It should also be noted that the previous ADs – unlike the current writing standard – did not include an explicit post-mod prohibition to re-install 'pre-mod' units (which might still be held as spares, even today) after modification of an aeroplane.

We regret the perception of 'increased complexity', but in our view, for actions which have already been done, compliance should be easy to demonstrate for this new AD. The advantage is that all requirements related to the affected components are now in a single AD – we consider that to be to the benefit of operators, who (e.g.) do not have to consult many ADs when it comes to determine which parts are (or are no longer) eligible for installation.

Nevertheless, depending on further (future) operator comments on this aspect, EASA may reconsider its policy – granted, not yet consistently applied – to 'retain requirements' of previous ADs and superseding them.

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