COMMENT RESPONSE DOCUMENT

EASA PAD No. 17-089

[Published on 04 July 2017 and officially closed for comments on 18 July 2017]

Commenter 1: Heli Service – Karsten Palt – 05/07/2017

Comment # 1

If you really issue the proposed AD PAD No.: 17-089 for AW139 helicopters, please change the Applicability to "AB139 and AW139 helicopters, all serial numbers, NOT registered in the EU (EASA member states)".

Reason:

As you already mention in your note European CAMOs are required to fulfil the requirements (Content of the AD) by M.A.301. So the AD is not applicable to those CAMOs/Operators.

Note 2: For LHD AB139 and AW139 helicopters 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.

EASA response:

Comment not agreed. Part M guidance material makes a reference to an annual review of the AMP, but Part M itself does not specify when an ALS revision must be embodied into the AMP. This AD, apart from requiring the actions (if due) before AMP update, provides a compliance time for that (administrative) action. If a helicopter's AMP already contains the affected ALS revision, the AD can simply be recorded as 'complied with'. See also related FAQ.

Commenter 2: Bristow Helicopters – Paul Francis – 05/07/2017

Comment # 2

With regard to PAD No.: 17-089 I would like to register my disagreement with the content of the PAD for the following reasons:-

It appears the proposal is to issue an AD mandating the implementation of all Chapter 4 (ALS) items in this specific instance and this would not seem the correct use of an AD.

Incorporating these items into the Operator AMP is mandatory anyway – so the AD would mandate an already mandatory process.

If there is a specific Airworthiness concern over a specific part (I am assuming tail fin or tail boom for this case), an AD should be issued covering that specific part with the required compliance time stated.

Any change in the ALS has specific Airworthiness considerations – especially if time limits are reduced – so would this PAD imply all future ALS issues for all OEMs would be subject to ADs?

If this PAD is implemented in isolation it may be inferred (incorrectly) only ALS issues subject to ADs are mandatory, so if no AD is issued it is not as 'important' to incorporate the changes (a basic Human Factor response to over-regulation. No instruction means no action)

If an operator were to comply with this AD within the compliance time, compliance with another issue of the ALS would negate compliance with the AD unless a new AD revision was issued.

ADs are to be recorded against the component (where applicable) and aircraft.

In this instance how would satisfactory compliance be recorded?

It would seem each aircraft and component subject to ALS Limitations would need to be recorded for compliance whilst it is subject to that program, and compliance removed if the component or Aircraft is moved into another regulatory region with different requirements (e.g. FAA/EASA/CASA).

I believe this would be an unnecessary burden on the Operator – especially one (such as ourselves) where aircraft are transferred between different regulators.

For the above reasons, I would like to suggest that where there is a specific Airworthiness concern over the changes of life limit of any component, an AD is raised for that specific component/limitation and not for the entire ALS issue.

EASA response:

Comment not agreed. See answer to Comment #1.