European Union Aviation Safety Agency

COMMENT RESPONSE DOCUMENT

EASA PAD No. 21-092

[Published on 25 June 2021 and officially closed for comments on 23 July 2021]

Commenter 1: British Airways Plc – James Simpson – 02/07/21

Comment # 1

Firstly, BAW does not have a concern with the SBs referenced in PAD 21-092 being mandated or their proposed compliance times, however, BAW does have a significant concern with the proposal to mandate multiple SBs, which addresses multiple different topics spanning multiple different ATA chapters in one single AD. BAW requests that EASA reviews and revises the PAD for the following reasons:

A. An Airworthiness Directive (AD) that spans multiple different topics, such as the SB1-SB7 referenced in PAD 21-092 make it incredibly difficult for operators to comply, demonstrate compliance and control. This is due to the fact that the actions required to comply (such as raising the required Engineering Orders to embody the aforementioned SBs) will need to be done by multiple different teams; Systems, Avionics, Structures, Powerplant and Cabin as per this PAD; with each individual team taking ownership of only single elements of the AD. Due to human factors, this makes it more likely for individual elements of the AD to be missed; as teams may wrongly assume another team is handling another element of the AD. Furthermore, it makes it more difficult for our CAMO team to audit compliance on an AD as they will need to review the actions taken by the multiple different teams especially considering the compliance times are not all standard across SB1-SB7.

   In addition, 21A.3B(b) defines an 'Unsafe Condition' and states "The above definition covers the majority of cases where the Agency considers there is an unsafe condition. There may be other cases where overriding safety considerations may lead the Agency to issue an airworthiness directive." This AMC implies a singular 'Unsafe Condition' could result in a singular AD and not multiple 'Unsafe Conditions' could result in a singular AD.

   BAW requests that each of these SBs is covered under its own PAD/AD considering each SB addresses a completely unrelated and independent 'Unsafe Condition'.

B. In the event that the AD is raised in issue (for any reason, but for example it is deemed that the compliance time for SB3 needs to be reduced) this will result in an unacceptable administrative burden as all the associated Engineering Orders (even those not directly impacted by the AD change) will need to be amended/updated to the new AD reference. Given that some SB compliance times go to 12 years after EIS of the aeroplane the exposure to this burden could be for some time. Once again, this would be mitigated by having a separate PAD/AD for each SB as per requested in Para 1.

C. BAW also does not agree with the way that the PAD is proposing to mandate per MSN. Presumably the list of MSNs shown as applicable in the PAD which have not yet had the respective SBs embodied has been provided by Airbus via the Airbus World SB Reporting tool, which could be prone to error e.g. an MSN being accidently reported completed when it hasn't or vice versa. BAW believes the safer method is to simply mandate all aircraft which are shown as applicable in the respective SBs and give credit for aircraft which have been embodied prior to the AD effective date. This would drive operators to double check their records which would ensure compliance with the intent of the AD.

D. Although too late for this PAD, BAW does not like the concept of not releasing an AD on the assumption that the SBs will be embodied under a Fleet Monitoring Campaign. This makes it more difficult for operators to focus on the priority SBs which may have an airworthiness issue. This previously caused an issue within BAW when an SB intended for a heavy check was mandated late after BAW had already elected to postpone embodiment owing to the COVID-19 parking/storage scenario, as the SB wasn't mandatory (at that time). This resulted in the SB being embodied out of C Check cycle on a casualty maintenance input. If an AD is issued straight away to mandate an SB it is clear to an operator that they need to prioritise the embodiment of that SB.

   This is supported by Appendix 2 to GM 21A.101 which states "It is also understood that the existing fleet and newly produced aeroplanes, engines and propellers are safe, and that any unsafe condition is immediately addressed through the airworthiness directive process."

   BAW requests elaboration of the justification on not issuing an AD in the first instance on these SBs.

E. EASA AD Writing Instructions (WI.CAP.00002-003) Para 3.14 Reason states that "The REASON field should identify precisely 3.14.1 The Precipitating Event, 3.14.2 The Results of the Investigation and 3.14.3 The Description of the Unsafe Condition". The Reason field as is does not adequately describe/identify these issues other than stating it "could lead to an unsafe condition". BAW suggests the PAD is revised to further clarify the background; this would be much simpler and concise assuming the PAD is split into multiple PADs as requested above in Para 1 and 2.

In summary, BAW strongly requests EASA reconsiders the concept of this PAD and reissues as individual PADs and subsequent AD for each of the SBs referenced taking into account each Para above.

EASA response:

A. Comment noted, but not agreed. Each paragraph of the AD is a separate action, with its own compliance time and instructions (SB), which can be treated as (which would be similar to) a separate AD to ensure compliance.

B. Comment noted, but not agreed. As all of the AD actions have been mature for some time, there is little chance of the AD being superseded. However, if this should happen, it would take a purely administrative action to record the new AD number against the already completed AD task(s).

C. Comment noted, but not agreed. The applicability of each SB as stated in the AD has been determined, based on information provided by Airbus, which in turn relies on the feedback provided by operators in accordance with their respectively approved procedures. This information has been verified as correct. The Applicability as stated in the AD is therefore considered being sufficiently justified.

D. Comment agreed and appreciated. EASA policy on fleet monitoring campaigns has recently been reviewed and made more restrictive due to issues such as those highlighted in the commenter's feedback. No AD was issued at the time, as it was believed to be manageable by close monitoring between Airbus and the affected operators. In any case, the affected SBs clearly indicate that an AD could be issued (tagged potential AD Yes). All affected operators were made aware of the retrofit campaign.

E. Comment noted. This kind of AD is exceptional and EASA does not expect these to be issued very often. Note that a similar approach was adopted in 2020 for an AD applicable to certain A340 aircraft. The aim is to cover initial monitoring decision that finally appears as difficult to manage without AD. Lessons learned have been taken from monitored campaign progress and policy for monitoring has been reviewed (refer to point D above).

No changes have been made to the revised PAD in response to this comment.

Commenter 2: Emirates – Muhammad Ali – 07/07/21

Comment # 2

The concern is being registered for compliance time (Table 1 & 2) defined for SB4 (A380-28-8047) and SB5 (A380-28-8050 R02) respectively in subject PAD. EASA is proposing the following for all MSN except 0023:

"Before exceeding 6 years since aeroplane date of manufacture, or within 12 months after the effective date of this AD, whichever occurs later "

Emirates' Concern:

Majority of our fleet is either in parking or storage due to on-going pandemic and low utilization. In order to facilitate Operators in staggering the C-Check / 6 yearly on aircraft planned for Return to Operation from parking / storage, Airbus has provided AMPES (Aircraft Maintenance Program Engineering Statement) which allows extension to C-Check / 6 yearly. Obviously, this AMPES is not applicable to Airworthiness Directives, which means the threshold date defined in the PAD will not club with the C-Check / 6 yearly after AMPES has been applied. It pertinent to note that our fleet of parked / stored aircraft are positioned at a remote location where we do not have the support equipment or facility to undertake SB4 and SB5 modification.

Each time an aircraft (which exceeds 6 year from DOM) is planned for Operations, the AD will be indicated as overdue and therefore, will have to be either supported via ASAC from Airbus or FCD / flight permit and cannot be put directly into commercial operations.

Emirates' Proposal:

Slowly and gradually, as the pandemic restrictions relax and operations are ramped up, in order to facilitate Operators with smooth Return to Operation from parking / storage, we propose the following compliance time for all MSN except 0023:

"Before exceeding 6 years since aeroplane date of manufacture, or within 36 months after the effective date of this AD, whichever occurs later "

This will allow Operators to club the modification as per SB4 and SB5 with the next upcoming C-Check with AMPES / local extensions applied.

EASA response:

Comment noted but not agreed. For aircraft having already exceeded the 6 years, the 12 months after AD effective date as mentioned in the PAD is consistent with expected SB embodiment planning shared with Airbus. For aircraft currently stored for longer time, potentially up to 2023, the required action(s) will have to be done prior return to service.

Any additional approvals (e.g. ferry flight, temporary exemption of limited compliance time extension) should be addressed to the State of Registry authority of the aircraft. Such actions could be supported, as needed, by Airbus ASAC.

No changes have been made to the revised PAD in response to this comment.

Commenter 3: Air France – Nicolas Protin – 08/07/21

Comment # 3

We contact you regarding to the PAD 21-092 and particularly regarding to the SB A380-21-8092. We need some clarification about the applicability definition. Based on which criteria were the MSN concerned defined by EASA for this AD?

EASA response:

Comment agreed. MSN Applicability was defined based on Airbus monitoring data. Further review indicates that the Applicability (also for individual SBs) of the initial PAD were incorrect. The PAD has been revised to add MSN for which SB was not declared as completed and no formal scrap certificate is available.

Commenter 4: Qatar Airways – SuanPhat FOO – 14/07/21

Comment # 4

Following QTR review on EASA PAD 21-092, it was noted that the EASA AD is mandating specific MSNs that have not embodied with the related SBs (which possesses some risk of error). Namely, QTR noticed that only MSN 0181 (within QTR A380 fleet) are affected by SB1. Therefore, MSN 0189 has not been captured based on QTR records:

- MSB A380-21-8092 already embodied on all affected aircraft except A7-APE (MSN 0181).
- MSB A380-21-8093 already embodied on all affected aircraft except A7-APE (MSN 0181) & A7-APF (MSN 0189).

Therefore, QTR would like to suggest either:

A. Mandate all effectivity as per related MSBs/ISB and provide credit to previous accomplishment accordingly, OR

B. Re-verify the effectivity for paragraph that affects multiple SBs (e.g. SB1 & SB3) and rectify, if needed.

NOTE: If the AD will remain as per the PAD, please ensure the inclusion of MSN 0189 to the effectivity of SB1.

EASA response:

A. Comment noted but not agreed. See also EASA answer to Comment #1 point C above.

B. Comment agreed. EASA confirm that a typographical error exists in the PAD, i.e. listing MSN 0187 for SB1 instead of 0189. The revised PAD has been corrected accordingly. This does not change the intended Applicability.

No changes have been made to the revised PAD in response to point A of this comment.

Commenter 5: Emirates Engineering – Syed Atif Shafi – 18/07/21

Comment # 5

The concern is being registered for compliance time defined for SB6 (A380-71-8006) in the subject PAD.

For MSNs 0039, 0056, 0080 and 0086, EASA is intending to mandate installation of redesigned fan cowl latch access panels in accordance with the instructions of SB6 “within 12 months after the effective date of this AD”. Out of the 4 MSNs mentioned Emirates has 3 aircraft (0056, 0080 and 0086) which are currently all in storage configuration since the start of the Covid pandemic, away from the main base with limited maintenance capabilities.

Due to insufficient Latch Access Panel modification kits in Emirates' inventory, Emirates may have to opt for replacing the whole fan cowl assemblies with post-mod fan cowls from decommissioned A380 aircraft to comply with the AD requirement. Considering the affected aircraft are currently in storage, Emirates would like to request for a provision of 36 months (3 yearly C Check interval) or a maximum allowance of 20 flight cycles from the AD effective date (whichever comes later), to have an opportunity for repositioning flight(s) and facilitate smooth accomplishment of SB6/AD at main base.
EASA response: ***Comment noted but not agreed. For aircraft in operation, it is considered that 12 months is an acceptable time to organise the SB embodiment (knowing that initially retrofit completion was expected in March 2019). See also EASA answer to Comment #1 point D above. For aircraft that are currently parked or stored and not expected to return to service (RTS) before expiry of the compliance time, SB embodiment can be done later, provided it is done before RTS. See also EASA answer to Comment #2 above.*** ***No changes have been made to the revised PAD in response to this comment.***