


EASA	COMMENT RESPONSE DOCUMENT
	EASA PAD No. 11-086 [Published on 16 August 2011 and officially closed for comments on 13 September 2011]

Commenter 1: Lufthansa Technik AG – John DONEGAN – Tue 23/08/2011 13:56

Comment # 1

with reference to PAD 11-086 and the intention of the EASA to publish an airworthiness directive on the subject, it can be inferred that the ALS (Part 2) in its current published revision is not yet mandatory for Part-M operators.

It is LHT's understanding, however, that the ALS documents are mandated by M.A.301 5.(iii) and M.A.302(d)(ii). The EASA own AMC explicitly mentions that Airworthiness Limitations are covered with these parts.

Action requested:

LHT kindly requests clarification if the proposed AD issued under M.A.301 5.(i) introduces any requirements for Part-M operators which are not already covered by M.A.301 5(iii) or M.A.302(d)(ii).

EASA response:

About the nature of ALS part 2 in its current published revision see response made to commenter 2.

About "...clarification if the proposed AD issued under M.A.301 5.(i) introduces any requirements for Part-M operators which are not already covered by M.A.301 5(iii) or M.A.302(d)(ii)." Annex Part 21, Section A, Subpart A, 21A.3B to Commission Regulation (EC) No. 1702/2003 describes the scope of the EASA airworthiness directives (ADs) and stipulates when and how the Agency issues ADs.

Commission Regulation (EC) No. 2042/2003 stipulates how continued airworthiness of the aircraft is ensured and clarifies the conformity verifications to be done by the competent National Aviation Authorities (NAAs) of the Member States.

ADs are not "...issued under M.A.301 5.(i)" or because of Regulation 2042/2003, but because the ALS is part of the Type Design (refer to Part 21A.31) . Because of the nature of the tasks contained in the ALS, failure to comply with an ALS revision that introduces new or more restrictive requirements would in general lead to an unsafe condition. Consequently, ALS Revisions that introduce new or more restrictive mandatory maintenance tasks must lead to issuance of an AD, unless either failure to comply with the LAS revision does not result in an unsafe condition, or an AD that adequately addresses all the restrictive items listed in the ALS has already been issued prior to the ALS revision.

The fact that an AD is issued under Part 21A.31 jurisdiction does not contradict the requirements of Commission Regulation (EC) No. 2042/2003 taken in its paragraph M.A.302 for instance.

The PAD 11-086 was withdrawn for the reasons explained in the withdrawal statement. Instead final AD 2011-0198 has been published.

Commenter 2: : Parc Aviation Ltd – Barry Conyard – Fri 02/09/2011 12:01

Comment # 2

Reviewing the PAD 11-086 which proposes to mandate A300-600 ALS Part 2 Issue 13, I do not see any proposal to address the special compliance times provided in issue 13 ROR paragraph 3.

There are several tasks which have been added/revised with very short compliance times quoted in FH and FC (or both) form the approval date of issue 13 (Oct/10).

If the AD does not provide the grace period from the effective date of the AD, then many operators may find that these short grace periods have already expired when the AD is issued. This could result in aircraft being grounded.

Please advise if the proposed AD will provide the same special compliance times from the effective date of the AD as opposed to approval date of the ALS document

EASA response:

First, the approval date of A300-600 ALS Part 2 Issue 13 is 24 May 2011 and not October 2010 like stated by the commenter.

Because the ALS is part of the Type Design (refer to Part 21A.31) failure to comply in due time with an applicable ALI task invalidates the aircraft individual CoA (Certificate of Airworthiness).

As A300-600 ALS Part 2 Issue 13 was approved on 24 May 2011, issue 13 is applicable from 24 May 2011 onwards although it is not strictly mandatory as of 24 May 2011. Per AMC M.A.302 revision of the maintenance programme must be done once a year as a minimum and “... *requirements for compliance with Part-21 should be incorporated into the owner or operator’s maintenance programme as soon as possible*”.

The Airworthiness Directive refers to the same compliance time that is given in page 5-ROR of the ALI document. It is believed that the compliance time as worded in page 5-ROR of the Airbus ALI document is self-explanatory. It indicates that (1) 12 months after the approval date of the ALS it is mandatory to comply with it; (2) from the approval date and until the 12 months have elapsed, two options can be selected either the newest ALS or the preceding one with some exceptions/adaptations. Those adaptations allow special compliance time for aeroplanes that would be found close to or exceeding the new or revised ALIs values. Those special compliance times can be applied from 24 May 2012, at the latest.

Publication of an AD about the ALS does not create any new requirements compared to what is already contained in the approved ALI documents. The publication of the AD reflects only the regulatory obligation coming from Commission Regulation (EC) No. 1702/2003 that describes the scope of the EASA airworthiness directives (ADs) and stipulates when and how the Agency issues ADs.

The PAD 11-086 was withdrawn for the reasons explained in the withdrawal statement. Instead final AD 2011-0198 has been published.