

## The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:  
 ■ a. Removing Airworthiness Directive 2020–25–05, Amendment 39–21347 (85 FR 78702, December 7, 2020); and  
 ■ b. Adding the following new airworthiness directive:

**2021–23–17 Hoffmann GmbH & Co. KG:**  
 Amendment 39–21815; Docket No. FAA–2021–0546; Project Identifier MCAI–2021–00387–P.

#### (a) Effective Date

This airworthiness directive (AD) is effective January 10, 2022.

#### (b) Affected ADs

This AD replaces AD 2020–25–05, Amendment 39–21347 (85 FR 78702, December 7, 2020).

#### (c) Applicability

This AD applies to all Hoffmann GmbH & Co. KG model HO–V 72 propellers.

#### (d) Subject

Joint Aircraft System Component (JASC) Code 6114, Propeller Hub Section.

#### (e) Unsafe Condition

This AD was prompted by reports of cracks at different positions on two affected propeller hubs. The FAA is issuing this AD to prevent failure of the propeller hub. The unsafe condition, if not addressed, could result in release of the propeller, damage to the airplane, and injury to persons on the ground.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Required Actions

(1) Before the next flight after December 22, 2020 (the effective date of AD 2020–25–05), amend the existing aircraft flight manual by inserting the procedure: “Abnormal propeller vibrations: As applicable, reduce engine RPM.”

(2) Before the next flight after the effective date of this AD, and thereafter, before the next flight after any flight where abnormal propeller vibrations have been experienced, visually inspect propeller hub HO–V 72 ( ) ( )–( )–( ) for cracks using paragraph 2.1 of Hoffmann Propeller GmbH & Co. KG Service Bulletin SB E53, Rev. D, dated February 18, 2021 (the SB).

(3) Within 20 flight hours after the effective date of this AD, perform a non-destructive

test (NDT) inspection of propeller hub HO–V 72 ( ) ( )–( )–( ) using paragraph 2.3 of the SB.

(4) During each overhaul of propeller hub HO–V 72 ( ) ( )–( )–( ) after the effective date of this AD, perform an NDT inspection using paragraph 2.3 of the SB.

(5) If, during any inspection required by paragraph (g)(2), (3), or (4) of this AD, any crack is detected, replace propeller hub HO–V 72 ( ) ( )–( )–( ) with a part eligible for installation.

#### (h) Definition

For the purpose of this AD, a “part eligible for installation” is a propeller hub HO–V 72 ( ) ( )–( )–( ) with zero hours time since new or a propeller hub HO–V 72 ( ) ( )–( )–( ) that has passed an NDT inspection using paragraph 2.3 of the SB.

#### (i) Non-Required Actions

(1) Sending the propeller to Hoffmann for investigation, as contained in paragraph 2.1 of the SB, is not required by this AD.

(2) Reporting propeller hubs with cracks to Hoffmann, as contained in paragraph 2.3 of the SB, is not required by this AD.

#### (j) Credit for Previous Actions

You may take credit for the initial visual inspection and NDT inspection of the propeller hub required by paragraphs (g)(2), (3), and (4) of this AD if you performed any of these actions before the effective date of this AD using Hoffmann Propeller GmbH & Co. KG SB E53, Rev. A, dated October 9, 2020; Rev. B, dated October 14, 2020; or Rev. C, dated December 9, 2020.

#### (k) Special Flight Permit

A special flight permit may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the airplane to a service facility to perform the NDT inspection. Special flight permits are prohibited to perform the visual inspection of the propeller hub.

#### (l) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Boston ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (m)(1) of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

#### (m) Related Information

(1) For more information about this AD, contact Michael Schwetz, Aviation Safety Engineer, Boston ACO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238–7761; fax: (781) 238–7199; email: [michael.schwetz@faa.gov](mailto:michael.schwetz@faa.gov).

(2) Refer to European Union Aviation Safety Agency (EASA) AD 2020–0226R1, dated March 31, 2021, for more information.

You may examine the EASA AD in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0546.

#### (n) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Hoffmann Propeller GmbH & Co. KG (Hoffmann) Service Bulletin SB E53, Rev. D, dated February 18, 2021.

(ii) [Reserved]

(3) For Hoffmann service information identified in this AD, contact Hoffmann GmbH & Co. KG, Küpferlingstrasse 9, 83022, Rosenheim, Germany; phone: +49 0 8031 1878 0; email: [info@hoffmann-prop.com](mailto:info@hoffmann-prop.com); website: <https://hoffmann-prop.com>.

(4) You may view this service information at FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (781) 238–7759.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email: [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on November 4, 2021.

**Lance T. Gant,**

*Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2021–26365 Filed 12–3–21; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA–2021–0720; Project Identifier 2019–SW–079–AD; Amendment 39–21808; AD 2021–23–10]**

**RIN 2120–AA64**

#### Airworthiness Directives; Leonardo S.p.a Helicopters

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Leonardo S.p.a. Model AW109SP helicopters. This AD was prompted by reports of an ineligible hydraulic pump being installed on Model AW109SP helicopters. This AD requires inspecting each hydraulic pump for damage and, depending on the inspections results,

removing parts from service and accomplishing other corrective actions. This AD also requires removing certain parts from service before they exceed their life limits. The corrective actions are required to be accomplished as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective February 4, 2022.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of January 10, 2022.

**ADDRESSES:** For material incorporated by reference (IBR) in this AD, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this material on the EASA website at <https://ad.easa.europa.eu>. You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110. It is also available in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0720.

#### Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0720; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the EASA AD, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Darren Gassetto, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228-7323; email [Darren.Gassetto@faa.gov](mailto:Darren.Gassetto@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2019-0213, dated August 29, 2019 (EASA AD 2019-

0213), to correct an unsafe condition for Leonardo S.p.a. (formerly Finmeccanica S.p.A. Helicopter Division, AgustaWestland S.p.A, Agusta S.p.A.) Model AW109SP helicopters.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Leonardo S.p.a. Model AW109SP helicopters. The NPRM published in the **Federal Register** on September 8, 2021 (86 FR 50289). The NPRM was prompted by reports of a hydraulic pump part number (P/N) 109-0760-42-103 being ineligibly installed on Model AW109SP helicopters. EASA advises that because hydraulic pump P/N 109-0760-42-103 is not eligible for installation on Model AW109SP helicopters, applicable instructions for continued airworthiness are not available. The NPRM proposed to require accomplishing the actions specified in EASA AD 2019-0213, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of the proposed AD and except as discussed under "Differences Between This Proposed AD and EASA AD 2019-0213."

The FAA is issuing this AD to address the ineligible installation of the affected part-numbered hydraulic pump on Model AW109SP helicopters since there are no applicable instructions for continuing airworthiness available. See EASA AD 2019-0213 for additional background information.

#### Discussion of Final Airworthiness Directive

##### Comments

The FAA received no comments on the NPRM or on the determination of the costs.

##### Conclusion

These helicopters have been approved by EASA and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the European Union, EASA has notified the FAA about the unsafe condition described in its AD. The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these helicopters. Except for minor editorial changes, this AD is adopted as proposed in the NPRM.

#### Related Service Information Under 1 CFR Part 51

EASA AD 2019-0213 requires inspecting each affected hydraulic pump and depending on the inspection results, replacing an affected hydraulic

pump with a serviceable hydraulic pump, before further flight. EASA AD 2019-0213 also requires replacing any affected hydraulic pump before exceeding 1,600 total flight hours (FH) since first installation on a helicopter, or within 200 FH, whichever occurs later. Finally, EASA AD 2019-0213 prohibits installing any affected hydraulic pump on any helicopter.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

#### Other Related Service Information

The FAA also reviewed Leonardo S.p.a. Helicopters, Alert Service Bulletin No. 109SP-134, dated July 29, 2019. This service information specifies procedures for inspecting and replacing hydraulic pump P/N 109-0760-42-103.

#### Differences Between This AD and EASA AD 2019-0213

EASA AD 2019-0213 applies to Model AW109SP helicopters, all serial numbers, whereas this AD only applies to Model AW109SP helicopters with certain part-numbered hydraulic pumps installed.

#### Costs of Compliance

The FAA estimates that this AD affects 17 helicopters of U.S. Registry. Labor rates are estimated at \$85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

Visually inspecting each hydraulic pump for wear, burrs, and abrasion takes about 4 work-hours and parts cost about \$5 for an estimated cost of \$345 per inspection and \$5,865 for the U.S. fleet.

Removing from service each affected hydraulic pump and replacing with an airworthy hydraulic pump takes about 6 work-hours and parts cost about \$22,819 for an estimated cost of \$23,329 per pump replacement.

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected operators.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**2021–23–10 Leonardo S.p.a.:** Amendment 39–21808; Docket No. FAA–2021–0720; Project Identifier 2019–SW–079–AD.

#### (a) Effective Date

This airworthiness directive (AD) is effective January 10, 2022.

#### (b) Affected ADs

None.

### (c) Applicability

This AD applies to Leonardo S.p.a. Model AW109SP helicopters, certificated in any category, with an affected part as identified in European Union Aviation Safety Agency (EASA) AD 2019–0213, dated August 29, 2019 (EASA AD 2019–0213).

### (d) Subject

Joint Aircraft Service Component (JASC) Codes: 2913, Hydraulic Pump (Elect/Eng), Main.

### (e) Unsafe Condition

This AD was prompted by reports of the ineligible installation of hydraulic pump part number (P/N) 109–0760–42–103 on Model AW109SP helicopters resulting in the applicable instructions for continued airworthiness not being available. The FAA is issuing this AD to address this unsafe condition. The unsafe condition, if not addressed, could result in failure of the hydraulic pump and subsequent loss of control of the helicopter.

### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

### (g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2019–0213.

### (h) Exceptions to EASA AD 2019–0213

(1) Where EASA AD 2019–0213 requires compliance in terms of flight hours, this AD requires using hours time-in-service (TIS).

(2) Where EASA AD 2019–0213 requires compliance from its effective date, this AD requires using the effective date of this AD.

(3) Where paragraph (2) of EASA AD 2019–0213 specifies to replace a part if any discrepancy is detected during the inspection, this AD requires removing that part from service.

(4) Where paragraph (3) of EASA AD 2019–0213 specifies to replace a part before exceeding 1,600 flight hours since first installation on a helicopter, this AD requires removing that part from service before 1,600 hours TIS since first installation on a helicopter.

(5) Where the service information required by EASA AD 2019–0213 specifies discarding the o-ring and gasket, this AD requires removing those parts from service.

(6) Where the service information required by EASA AD 2019–0213 specifies recording compliance with the service bulletin in the helicopter logbook, this AD does not include that requirement.

(7) This AD does not require the “Remarks” section of EASA AD 2019–0213.

### (i) No Reporting Requirement

Although the service information referenced in EASA AD 2019–0213 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

### (j) Special Flight Permit

Special flight permits, as described in 14 CFR 21.197 and 21.199, are prohibited.

### (k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (l) of this AD. Information may be emailed to: [9-AVS-AIR-730-AMOC@faa.gov](mailto:9-AVS-AIR-730-AMOC@faa.gov).

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

### (l) Related Information

For more information about this AD, contact Darren Gassetto, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228–7323; email [Darren.Gassetto@faa.gov](mailto:Darren.Gassetto@faa.gov).

### (m) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2019–0213, dated August 29, 2019.

(ii) [Reserved].

(3) For EASA AD 2019–0213, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this material on the EASA website at <https://ad.easa.europa.eu>.

(4) You may view this service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. This material may be found in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0720.

(5) You may view this material that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on October 28, 2021.

**Lance T. Gant,**

*Director, Compliance & Airworthiness  
Division, Aircraft Certification Service.*

[FR Doc. 2021-26334 Filed 12-3-21; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2021-0338; Project Identifier AD-2020-01423-T; Amendment 39-21820; AD 2021-23-21]

RIN 2120-AA64

### Airworthiness Directives; The Boeing Company Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 787-8 and 787-9 airplanes. This AD was prompted by reports that shimming requirements were not met during the assembly of certain structural joints, which can result in reduced fatigue thresholds and cracking of the affected structural joints. This AD requires repetitive inspections for cracking of certain areas of the aft wheel well bulkhead (AWWB) body chord and AWWB side fitting and failsafe straps, and repair of any cracking found. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective January 10, 2022.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of January 10, 2022.

**ADDRESSES:** For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; internet <https://www.myboeingfleet.com>. You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0338.

### Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0338; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Greg Rutar, Aerospace Engineer, Airframe Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3529; email: [Greg.Rutar@faa.gov](mailto:Greg.Rutar@faa.gov).

### SUPPLEMENTARY INFORMATION:

#### Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain The Boeing Company Model 787-8 and 787-9 airplanes. The NPRM published in the **Federal Register** on May 10, 2021 (86 FR 24778). The NPRM was prompted by reports that shimming requirements were not met during the assembly of certain structural joints, which can result in reduced fatigue thresholds and cracking of the affected structural joints. In the NPRM, the FAA proposed to require repetitive inspections for cracking of certain areas of the AWWB body chord and AWWB side fitting and failsafe straps, and repair of any cracking found. The FAA is issuing this AD to address undetected fatigue cracking, which could weaken primary structure so it cannot sustain limit load, and could result in reduced structural integrity of the airplane.

#### Discussion of Final Airworthiness Directive

##### Comments

The FAA received a comment from United Airlines who supported the NPRM without change.

The FAA received additional comments from two commenters, including Avianca Airlines (AVA) and Boeing. The following presents the comments received on the NPRM and the FAA's response to each comment.

##### Request To Use Alternative Repair Method

AVA asked that the FAA change the following language used in paragraph (h)(3) of the proposed AD "This AD requires doing the repair using a method

approved in accordance with the procedures specified in paragraph (i) of this AD." AVA stated that this means submitting a request for an alternative method of compliance (AMOC) is required in accordance with paragraph (i)(3) of the proposed AD. AVA added that the proposed repair is based on the time delay required to obtain an AMOC letter, which affects the operational return to service of the affected aircraft, and noted that a Form 8100-9 is already an approved document that certifies compliance with the airworthiness standard. AVA proposed that only an 8100-9 approval form be required for doing a repair after contacting Boeing.

The FAA does not agree with the commenter's request. An FAA Form 8100-9, which is both a repair data approval and AMOC approval, may be issued by the Boeing Company Organization Designation Authorization (ODA), provided it has been authorized by the Manager, Seattle ACO Branch, FAA, as required by paragraph (i)(3) of this AD. Therefore, the FAA has not changed this AD in this regard.

##### Request To Use Later Revision of the Service Information

AVA asked that the FAA include a paragraph in the proposed AD that approves any further revision or issue of Boeing Alert Requirements Bulletins B787-81205-SB530077-00 RB and B787-81205-SB530078-00 RB, both Issue 001, both dated September 8, 2020, for compliance with the proposed AD.

The FAA does not agree with the commenter's request. The FAA may not in an AD refer to any document that does not yet exist. In general terms, the FAA is required by Office of the Federal Register (OFR) regulations for approval of materials incorporated by reference, as specified in 1 CFR 51.1(f), to either publish the service document contents as part of the actual AD language; or submit the service document to the OFR for approval as referenced material, in which case the FAA may only refer to such material in the text of an AD. The AD may refer to the service document only if the OFR approved it for incorporation by reference. See 1 CFR part 51.

To allow operators to use later revisions of the referenced document (issued after publication of the AD), either the FAA must revise the AD to reference specific later revisions, or operators must request approval to use later revisions as an alternative method of compliance with this AD under the provisions of paragraph (i) of this AD.