

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2019-0977; Product Identifier 2019-NM-166-AD; Amendment 39-19865; AD 2020-05-15]

RIN 2120-AA64

**Airworthiness Directives; Airbus SAS Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for all Airbus SAS Model A319-131, -132, and -133 airplanes, Model A320-231, -232, and -233 airplanes, and Model A321-131, -231, and -232 airplanes. This AD was prompted by a report of rupture of a hydraulic reservoir air pressurization hose on an in-service airplane, leading to air leakage that was undetectable during normal operation, and found during subsequent zonal inspection. This AD requires modifying the airplane by replacing the affected bleed air hoses with a modification of hydraulic pressurization lines, 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 April 24, 2020.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of April 24, 2020.

**ADDRESSES:** For the material incorporated by reference (IBR) in this AD, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 1000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this IBR material on the EASA website at <https://ad.easa.europa.eu>. You may view this IBR material at the FAA, Transport Standards 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 in the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0977.

**Examining the AD Docket**

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0977; 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 regulatory evaluation, 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:** Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3223; email [Sanjay.Ralhan@faa.gov](mailto:Sanjay.Ralhan@faa.gov).

**SUPPLEMENTARY INFORMATION:****Discussion**

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2019-0232, dated September 16, 2019 ("EASA AD 2019-0232") (also referred to as the Mandatory Continuing Airworthiness Information, or "the MCAI"), to correct an unsafe condition for all Airbus SAS Model A319-131, -132, and -133 airplanes, Model A320-231, -232, and -233 airplanes, and Model A321-131, -231, and -232 airplanes.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus SAS Model A319-131, -132, and -133 airplanes, Model A320-231, -232, and -233 airplanes, and Model A321-131, -231, and -232 airplanes. The NPRM published in the **Federal Register** on December 16, 2019 (84 FR 68368). The NPRM was prompted by a report of rupture of a hydraulic reservoir air pressurization hose on an in-service airplane, leading to air leakage that was undetectable

during normal operation, and found during subsequent zonal inspection. The NPRM proposed to require modifying the airplane by replacing the affected bleed air hoses with a modification of hydraulic pressurization lines, as specified in an EASA AD.

The FAA is issuing this AD to address this condition, which, if not detected and corrected, could lead to exposure of the wing structure to high temperatures (possibly above 200 degrees Celsius (392 degrees Fahrenheit)), possibly resulting in reduced structural integrity of the airplane. See the MCAI for additional background information.

**Comments**

The FAA gave the public the opportunity to participate in developing this final rule. The FAA has considered the comments received. The Air Line Pilots Association, International (ALPA) and United Airlines indicated support for the NPRM.

**Conclusion**

The FAA reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this final rule as proposed, except for minor editorial changes. The FAA has determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for addressing the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

**Related IBR Material Under 14 CFR Part 51**

EASA AD 2019-0232 describes procedures for modifying the airplane by replacing the affected bleed air hoses with a modification kit that includes improved bleed air hoses. This material 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.

**Costs of Compliance**

The FAA estimates that this AD affects 802 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

**ESTIMATED COSTS FOR REQUIRED ACTIONS**

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
6 work-hours × \$85 per hour = \$510 .....	\$4,300	\$4,810	\$3,857,620

## 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.

## Adoption of 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 (AD):

**2020-05-15 Airbus SAS:** Amendment 39-19865; Docket No. FAA-2019-0977; Product Identifier 2019-NM-166-AD.

### (a) Effective Date

This AD is effective April 24, 2020.

### (b) Affected ADs

None.

### (c) Applicability

This AD applies to all Airbus SAS airplanes specified in paragraphs (c)(1) through (3) of this AD, certificated in any category.

(1) Model A319-131, -132, and -133 airplanes.

(2) Model A320-231, -232, and -233 airplanes.

(3) Model A321-131, -231, and -232 airplanes.

### (d) Subject

Air Transport Association (ATA) of America Code 29, Hydraulic power.

### (e) Reason

This AD was prompted by a report of rupture of a hydraulic reservoir air pressurization hose on an in-service airplane, leading to air leakage that was undetectable during normal operation, and found during subsequent zonal inspection. The FAA is issuing this AD to address this condition, which, if not detected and corrected, could lead to exposure of the wing structure to high temperatures (possibly above 200 degrees Celsius (392 degrees Fahrenheit)), possibly resulting in reduced structural integrity of the airplane.

### (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, European Union Aviation Safety Agency (EASA) AD 2019-0232, dated September 16, 2019 ("EASA AD 2019-0232").

### (h) Exceptions to EASA AD 2019-0232

(1) Where EASA AD 2019-0232 refers to its effective date, this AD requires using the effective date of this AD.

(2) The "Remarks" section of EASA AD 2019-0232 does not apply to this AD.

### (i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Section, Transport Standards 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 International Section, send it to the attention of the person identified in paragraph (j) of this AD. Information may be

emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. 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.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* For any service information referenced in EASA AD 2019-0232 that contains RC procedures and tests: Except as required by paragraph (i)(2) of this AD, RC procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

### (j) Related Information

For more information about this AD, contact Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3223; email [Sanjay.Ralhan@faa.gov](mailto:Sanjay.Ralhan@faa.gov).

### (k) 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 this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2019-0232, dated September 16, 2019.

(ii) [Reserved]

(3) For information about EASA AD 2019-0232, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 6017; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu);

internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>.

(4) You may view this material at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. This material may be found in the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0977.

(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 [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on March 4, 2020.

**Gaetano A. Sciortino,**

*Deputy Director for Strategic Initiatives,  
Compliance & Airworthiness Division,  
Aircraft Certification Service.*

[FR Doc. 2020-05765 Filed 3-19-20; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 902

#### 50 CFR Part 216

[Docket No. 200312-0077]

**RIN 0648-BH25**

#### Subsistence Taking of Northern Fur Seals on the Pribilof Islands; Correction

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule; correcting amendment; effective date for collection-of-information requirements.

**SUMMARY:** NMFS is correcting a final rule published on October 2, 2019, that revised the subsistence use regulations for the Eastern Pacific stock of northern fur seals (*Callorhinus ursinus*). NMFS also is announcing approval by the Office of Management and Budget (OMB) of collection-of-information requirements subject to the Paperwork Reduction Act (PRA) and associated with the regulations revised in the final rule. The final rule incorrectly stated that the collection-of-information requirements subject to the PRA had been approved by the OMB at the time the final rule was published. On January 7, 2020, OMB approved the collection-of-information requirements subject to the PRA. The intent of this final rule is to correct this information and to inform the public of the effectiveness of the collection-of-information requirements associated with the subsistence use regulations revised in the October 2, 2019, final rule.

**DATES:** This rule is effective March 20, 2020.

The date of approval of the information collection requirements in 50 CFR 216.72 and 50 CFR 216.74 published October 2, 2019 at 84 FR 52372 is corrected to January 7, 2020 as of March 20, 2020.

**ADDRESSES:** Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this rule may be submitted by mail to NMFS Alaska Region, P.O. Box 21668, Juneau, AK 99802-1668; by email to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov); or by fax to 202-395-5806.

**FOR FURTHER INFORMATION CONTACT:**

Michael Williams, NMFS Alaska Region, 907-271-5117, [michael.williams@noaa.gov](mailto:michael.williams@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The taking of northern fur seals is prohibited by the Fur Seal Act (FSA, 16 U.S.C. 1151-1175), unless expressly authorized by the Secretary of Commerce through regulation. Section 105(a) of the FSA authorizes the promulgation of regulations with respect to the taking of fur seals on the Pribilof Islands as the Secretary of Commerce deems necessary and appropriate for the conservation, management, and protection of the fur seal population (16 U.S.C. 1155(a)). Regulations governing the subsistence use of northern fur seals are located at 50 CFR 216.71-216.74 and authorize Pribilovians to take fur seals on the Pribilof Islands if such taking is for subsistence uses and not accomplished in a wasteful manner (50 CFR 216.71).

#### Background

NMFS published a proposed rule on August 14, 2018 (83 FR 40192), to revise the subsistence use regulations for northern fur seals on the Pribilof Islands based on the petition from the Aleut Community of St. Paul Island, Tribal Government (ACSPI) (77 FR 41168; July 12, 2012). The final rule revising the subsistence use regulations at 50 CFR 216.71-216.74 published in the **Federal Register** on October 2, 2019 (84 FR 52372). The requirements of the final rule (84 FR 52372), other than the collection-of-information requirements associated with the subsistence use regulations (hunt and harvest reporting for St. Paul and St. George Islands), were effective on September 27, 2019. The final rule incorrectly stated that the collection-of-information requirements subject to the PRA had been approved by the OMB under OMB Control Number 0648-0699 (Annual Northern Fur Seal Subsistence Harvest Reporting) at the time the final rule was published. On January 7, 2020, OMB approved these collection-of-information requirements under OMB Control Number 0648-0699 (Annual Northern Fur Seal Subsistence Harvest Reporting). Accordingly, this rule announces the approval and effective date of the collection-of-information

requirements associated with the subsistence use regulations found at 50 CFR 216.72 and 50 CFR 216.74.

#### OMB Revisions to PRA References in 15 CFR 902.1(b)

Section 3507(c)(B)(i) of the PRA requires that agencies inventory and display a current control number assigned by the Director of OMB, for each agency's information collection. Section 902.1(b) identifies the location of NOAA regulations for which OMB approval numbers have been issued. Because this final rule revises collection-of-information requirements, 15 CFR 902.1(b) is revised to reference correctly the sections resulting from this final rule.

#### Classification

##### *Administrative Procedure Act*

The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is unnecessary and contrary to the public interest. This action simply provides notice of OMB's approval of the collection-of-information requirements at issue, which has already occurred, and renders those collection-of-information requirements effective. Thus this action does not involve any further exercise of agency discretion by NMFS or OMB. Moreover, the public was already provided with notice and opportunity to comment during the public comment period for the proposed rule, which began on August 14, 2018, and ended on September 13, 2018, and during the public comment period for the 2019 Final SEIS for Management of the Subsistence Harvest of Northern Fur Seals on St. Paul Island, Alaska. Additional opportunity for public comment at this point would not be meaningful and would be duplicative. Any further delay to allow for public comment is therefore unnecessary and would result in public confusion.

For the same reasons, the AA also finds good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date and make this rule effective immediately upon publication.

##### *Executive Order 12866*

This final rule has been determined to be not significant for purposes of Executive Order 12866.

##### *Paperwork Reduction Act*

This final rule contains collection-of-information requirements subject to the PRA, and which OMB approved on