

# Proposed Rules

Federal Register

Vol. 80, No. 129

Tuesday, July 7, 2015

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2015-2457; Directorate Identifier 2014-NM-209-AD]

RIN 2120-AA64

#### Airworthiness Directives; Bombardier, Inc. Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for certain Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, & 702) airplanes, Model CL-600-2D15 (Regional Jet Series 705) airplanes, and Model CL-600-2D24 (Regional Jet Series 900) airplanes. This proposed AD was prompted by a report indicating that some operators have inadvertently removed the existing insulation blankets from the upper wing box area. This proposed AD would require inspecting for and replacing missing insulation blankets in the upper wing box area. We are proposing this AD to detect and replace missing insulation blankets from the upper wing box area, which could result in inadequate thermal protection to prevent fuel ignition in the event of an undetected bleed air leak due to a cracked or ruptured bleed-air duct.

**DATES:** We must receive comments on this proposed AD by August 21, 2015.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-2457; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

Morton Lee, Aerospace Engineer, Propulsion and Services Branch, ANE-173, FAA, New York Aircraft Certification Office (ACO), 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7355; fax 516-794-5531.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2015-2457; Directorate Identifier 2014-NM-209-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the

closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

#### Discussion

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF-2014-35, dated October 17, 2014 (referred to after this as the Mandatory Continuing Airworthiness Information, or "the MCAI"), to correct an unsafe condition for certain Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, & 702) airplanes, Model CL-600-2D15 (Regional Jet Series 705) airplanes, and Model CL-600-2D24 (Regional Jet Series 900) airplanes. The MCAI states:

It was discovered that some operators have inadvertently removed the existing insulation blankets from the upper wing box area while incorporating Bombardier Service Bulletin (SB) 670BA-36-016 to comply with [Canadian] AD CF-2012-06 [which corresponds to FAA AD 2012-12-02, Amendment 39-17081 (77 FR 36129, June 18, 2012)].

Without insulation blankets on the upper wing box area, there may be inadequate thermal protection to prevent fuel ignition in the event of an undetected bleed air leak due to a cracked or ruptured bleed-air duct.

This [Canadian] AD mandates the inspection and rectification [*i.e.*, replacement], as required, of the insulation blankets in the upper wing box area.

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-2457.

#### Related Service Information Under 14 CFR Part 51

We reviewed Bombardier Service Bulletin 670BA-57-024, dated July 23, 2014. This service information describes procedures for an inspection of the insulation blankets in the upper wing box area to find if the blankets are installed, and replacement of missing insulation blankets. 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 of this NPRM.

### FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

### Costs of Compliance

We estimate that this proposed AD affects 470 airplanes of U.S. registry.

We also estimate that it would take about 4 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$0 per product. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be \$159,800, or \$340 per product.

In addition, we estimate that any necessary follow-on actions would take up to 70 work-hours and require parts costing up to \$665, for a cost of up to \$6,615 per product. We have no way of determining the number of aircraft that might need this action.

### 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.

We are 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

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. 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 Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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):

**Bombardier, Inc.:** Docket No. FAA-2015-2457; Directorate Identifier 2014-NM-209-AD.

#### (a) Comments Due Date

We must receive comments by August 21, 2015.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, & 702) airplanes, Model CL-600-2D15 (Regional Jet Series 705) airplanes, and Model CL-600-2D24 (Regional Jet Series 900) airplanes, certificated in any category, as identified in Bombardier Service Bulletin 670BA-57-024, dated July 23, 2014.

#### (d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

#### (e) Reason

This AD was prompted by a report indicating that some operators have inadvertently removed the existing insulation blankets from the upper wing box area. We

are issuing this AD to detect and replace missing insulation blankets from the upper wing box area, which could result in inadequate thermal protection to prevent fuel ignition in the event of an undetected bleed air leak due to a cracked or ruptured bleed-air duct.

#### (f) Compliance

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

#### (g) Inspection

Within 800 flight hours or 4 months after the effective date of this AD, whichever occurs first: Do a general visual inspection of the insulation blankets in the upper wing box area to determine whether any insulation blanket is missing in specified areas, in accordance with Part A of the Accomplishment Instructions of Bombardier Service Bulletin 670BA-57-024, dated July 23, 2014.

(1) If no insulation blanket is missing, no further action is required by this AD.

(2) If any insulation blanket is missing, within 1,200 flight hours or 6 months after the effective date of this AD, whichever occurs first, replace the missing insulation blankets, in accordance with Part B of the Accomplishment Instructions of Bombardier Service Bulletin 670BA-57-024, dated July 23, 2014, except, where Bombardier Service Bulletin 670BA-57-024, dated July 23, 2014, specifies contacting Bombardier for "an approved disposition to complete this service bulletin," this AD requires corrective action to be done using a method approved by the Manager, New York Aircraft Certification Office (ACO), ANE-170, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO).

#### (h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO, ANE-170, 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 ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531. 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. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, New York ACO, ANE-170, FAA; or TCCA; or Bombardier, Inc.'s TCCA DAO. If approved by the DAO, the approval must include the DAO-authorized signature.

**(i) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF-2014-35, dated October 17, 2014, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-2457.

(2) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

Issued in Renton, Washington, on June 25, 2015.

**Jeffrey E. Duven,**

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015-16465 Filed 7-6-15; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF JUSTICE****Bureau of Prisons****28 CFR Part 506**

[BOP Docket No. 1156-P]

RIN 1120-ABXX

**Inmate Commissary Account Deposit Procedures**

**AGENCY:** Bureau of Prisons, Justice.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Bureau of Prisons (Bureau) proposes to amend its regulations on inmate commissary account deposit procedures and requirements to provide clarification. Specifically, the amendments will clarify that, regardless of the form or method of the deposit (by mail or electronic deposit), the Bureau is authorized to obtain transaction information about the sender, and the sender is required to provide such information to the Bureau and its authorized service providers if the sender seeks to deposit funds in an inmate's commissary account.

**DATES:** Comments must be received by September 8, 2015.

**ADDRESSES:** Submit comments to Rules Unit, Office of General Counsel, Bureau of Prisons, 320 First Street NW., Washington, DC 20534.

**FOR FURTHER INFORMATION CONTACT:** Sarah Qureshi, Office of General

Counsel, Bureau of Prisons, phone (202) 307-2105, email [BOPRULES@BOP.GOV](mailto:BOPRULES@BOP.GOV).

**SUPPLEMENTARY INFORMATION:****Posting of Public Comments**

Please note that all comments received are considered part of the public record and made available for public inspection online at [www.regulations.gov](http://www.regulations.gov). Such information includes personal identifying information (such as your name, address, etc.) voluntarily submitted by the commenter.

If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be posted online, you must include the phrase "PERSONAL IDENTIFYING INFORMATION" in the first paragraph of your comment. You must also locate all the personal identifying information you do not want posted online in the first paragraph of your comment and identify what information you want redacted.

If you want to submit confidential business information as part of your comment but do not want it to be posted online, you must include the phrase "CONFIDENTIAL BUSINESS INFORMATION" in the first paragraph of your comment. You must also prominently identify confidential business information to be redacted within the comment. If a comment contains so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be posted on [www.regulations.gov](http://www.regulations.gov).

Personal identifying information identified and located as set forth above will be placed in the agency's public docket file, but not posted online. Confidential business information identified and located as set forth above will not be placed in the public docket file. If you wish to inspect the agency's public docket file in person by appointment, please see the "For Further Information Contact" paragraph.

*The Proposed Rule:* The Bureau proposes to amend and clarify its inmate commissary account regulations, published on July 2, 2004 (69 FR 40315). The proposed revisions are explained below.

**Section 506.1 Purpose**

In this regulation, we reiterate the purpose of the inmate commissary account deposit program, as stated in the current regulation. We also state that the Bureau operates and maintains individual inmate commissary accounts in a manner that preserves the safety,

security, and good order of Bureau institutions, and protects the public.

**Section 506.2 Methods of depositing funds into an inmate commissary account**

In this regulation, the Bureau clarifies that funds from family, friends, or other sources, may be deposited into an inmate commissary account by mail or electronic deposit. Subparagraph (a) simply paraphrases language in current § 506.2(a).

Subparagraph (b) allows for electronic deposits, which may be sent from persons in the community through service providers (for example, a financial institution as defined in 31 U.S.C. 5312(a)(2), bank, money service business, or money service provider or processor), and forwarded to the individual inmate's commissary account, as authorized and directed by the Bureau.

**Section 506.3 Consent to collection and use of sender's transactional and personal identification data**

This regulation will clarify that persons sending or depositing, or attempting to send or deposit, funds to an inmate's commissary account under this subpart are required to provide all related transactional data, including the sender's personal identification information, to (1) the Bureau; and (2) the service provider(s) (for example, a financial institution, bank, money service business, or money service provider or processor) in accordance with the provisions of its agreement for providing service to the Bureau.

System of records BOP-006, Inmate Trust Fund Accounts and Commissary Record System, currently authorizes the Bureau to collect "personal identification data for persons who send or receive funds to/from inmates. This regulation serves to put the public on notice that such data will be collected whenever funds are sent or attempted to be sent to an inmate, regardless of the form of the deposit.

This regulation will also clarify that by sending or depositing, or attempting to send or deposit, funds to an inmate's commissary account under this subpart, a person consents to the collection, review, use, disclosure, and retention of, all related transactional data, including the sender's personal identification information, by both (1) the Bureau, pursuant to the applicable Privacy Act system(s) of records; and (2) the service provider in accordance with the provisions of its agreement for providing service to the Bureau.

This rule is in compliance with the Right to Financial Privacy Act, 12 U.S.C.