Proposed Rules

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


RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for all Airbus Model A330–200, –200 Freighter, and –300 series airplanes; and all Airbus Model A340–200, –300, –500, and –600 series airplanes. This proposed AD was prompted by reports of premature aging of certain chemical oxygen generators in the passenger compartment that resulted in failure of the generators to activate. This proposed AD would require inspecting to determine if certain passenger chemical oxygen generators are installed, and replacement of affected generators. We are proposing this AD to prevent failure of the chemical oxygen generator to activate during an emergency situation, which could result in unavailability of oxygen and possible incapacitation of the occupants.

DATES: We must receive comments on this proposed AD by October 15, 2015.

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

- 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.
- \textit{Federal eRulemaking Portal: Go to http://www.regulations.gov. Follow the instructions for submitting comments.}
- \textit{Fax: 202–493–2251.}
- \textit{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.}

- \textit{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–2015–3149; Directorate Identifier 2015–NM–014–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 \textit{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

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2015–0119, dated June 24, 2015 (referred to after this as the Mandatory Continuing Airworthiness Information, or ”the MCAI”), to correct an unsafe condition for all Airbus Model A330–200, –200 Freighter, and –300 series airplanes; and Model A340– 200, –300, –500, and –600 series airplanes. The MCAI states:

Reports have been received indicating premature ageing of certain passenger chemical oxygen generators, Part Number (P/N) 1170242–XX, manufactured by B/E Aerospace. Some operators reported that when they tried to activate generators, some older units failed to activate. Given the number of failed units reported, all the generators manufactured in 1999, 2000, and 2001 must be considered unreliable.

This condition, if not corrected, could lead to failure of the generator to activate and consequently not deliver oxygen during an emergency, possibly resulting in injury to aeroplane occupants.

To address this potential unsafe condition, Airbus issued Alert Operators Transmission (AOT) A35L007–14, making reference to B/E Aerospace Service Information Letter (SIL) D1019–01 (currently at Revision 1) and B/E Aerospace Service Bulletin (SB) 117042–35–001. Consequently, EASA issued AD 2014–0277 to require identification and replacement of the affected oxygen generators.

Since EASA AD 2014–0277 was issued, and following new investigation results, EASA has decided to introduce a life limitation concerning all P/N 117042–XX chemical oxygen generators, manufactured by B/E Aerospace.

For the reason described above, this EASA AD retains the requirements of EASA AD 2014–0277, which is superseded, expands the scope of the AD to include chemical
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 regulatory action” 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

§ 39.13 [Amended]

The FAA amends § 39.13 by adding the following new airworthiness directive (AD):


(a) Comments Due Date

We must receive comments by October 15, 2015.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the airplanes, certificated in any category, identified in paragraphs (c)(1) and (c)(2) of this AD, all manufacturer serial numbers.


(d) Subject

Air Transport Association (ATA) of America Code 35, Oxygen.

(e) Reason

This AD was prompted by reports of premature aging of certain chemical oxygen generators in the passenger compartment that resulted in failure of the generators to activate. We are issuing this AD to prevent failure of the chemical oxygen generator to activate during an emergency situation, which could result in unavailability of oxygen and possible incapacitation of the occupants.

(f) Compliance

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

(g) Inspection

Within 30 days after the effective date of this AD: Inspect each passenger chemical oxygen generator to identify the date of manufacture (refer to Figures 1 and 2 of paragraph (g) of this AD for the location of the date) of each passenger chemical oxygen generator having any part number (P/N) listed in paragraphs (g)(1) through (g)(6) of this AD, in accordance with the Instructions
Figure 1 to paragraph (g) of this AD - Location of date (MM-YY)
(h) Replacement of Pre-2002 Passenger Oxygen Generators

If, during any inspection required by paragraph (g) of this AD, any passenger chemical oxygen generator having a date of manufacture of 1999, 2000, or 2001 is found:

At the time specified in paragraph (h)(1), (h)(2), or (h)(3) of this AD, as applicable, replace the affected passenger chemical oxygen generator, in accordance with the Instructions of Airbus AOT A35L007–14, Revision 01, June 17, 2015; including Appendix A (for 15 and 22-minute passenger chemical oxygen generators); or in accordance with the Accomplishment Instructions of B/E Aerospace Service Bulletin 117042–35–001, dated December 10, 2014 (for 15-minute passenger chemical oxygen generators).

(1) For units manufactured in 1999: Within 30 days after the effective date of this AD.
(2) For units manufactured in 2000: Within 6 months after the effective date of this AD.
(3) For units manufactured in 2001: Within 12 months after the effective date of this AD.

(i) Replacement of 2002 Through 2009 Passenger Oxygen Generators

If, during any inspection required by paragraph (g) of this AD, any passenger chemical oxygen generator having a date of manufacture of 2002 through 2008 is found:

At the time specified in paragraph (i)(1), (i)(2), (i)(3), (i)(4), (i)(5), (i)(6), (i)(7), or (i)(8) of this AD, as applicable, replace the affected passenger chemical oxygen generator with a serviceable unit, in accordance with the Instructions of Airbus AOT A35L007–14, Revision 01, June 17, 2015; including Appendix A (for 15 and 22-minute passenger chemical oxygen generators); or in accordance with the Accomplishment Instructions of B/E Aerospace Service Bulletin 117042–35–001, dated December 10, 2014 (for 15-minute passenger chemical oxygen generators).

(1) For units manufactured in 2002: Within 12 months after the effective date of this AD.
(2) For units manufactured in 2003: Within 16 months after the effective date of this AD.
(3) For units manufactured in 2004: Within 20 months after the effective date of this AD.
(4) For units manufactured in 2005: Within 24 months after the effective date of this AD.
(5) For units manufactured in 2006: Within 28 months after the effective date of this AD.
(6) For units manufactured in 2007: Within 32 months after the effective date of this AD.
(7) For units manufactured in 2008: Within 36 months after the effective date of this AD.
(8) For units manufactured in 2009 or later: Before the accumulation of 10 years since date of manufacture.

(j) Definition of a Serviceable Unit

A serviceable unit is an oxygen generator having P/N 117042–XX, with a manufacturing date not older than 10 years, or any other FAA-approved P/N, provided that the generator has not exceeded the life limit established by the manufacturer for that generator.

(k) Credit for Previous Actions

This paragraph provides credit for the applicable actions required by paragraphs (g),
information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on August 21, 2015.

Kevin Hull.
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[Fax Doc. 2015–21428 Filed 8–28–15; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2014–1057]

RIN 1625–AA09

Drawbridge Operation Regulation; Norwalk River, Norwalk CT

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to modify the operating schedule that governs the Metro-North WALK Bridge across the Norwalk River, mile 0.1, at Norwalk, Connecticut. The bridge owner submitted a request to require a greater advance notice for bridge openings and to increase the time periods the bridge remains in the closed position during the weekday morning and evening commuter rush hours. It is expected that this change to the regulations will create efficiency in drawbridge operations while continuing to meet the reasonable needs of navigation.

DATES: Comments and related material must be received by the Coast Guard on or before October 30, 2015.

ADDRESSES: You may submit comments identified by docket number USCG–2014–1057 using any one of the following methods:


(2) Fax: 202–493–2251.

(3) Mail or Delivery: Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202–366–9329.

See the “Public Participation and Request for Comments” portion of the SUPPLEMENTARY INFORMATION section below for instructions on submitting comments. To avoid duplication, please use only one of these three methods.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call or email Mr. Chris Bisignano, Project Officer, First Coast Guard District, telephone 212–514–4331. Christopher.j.bisignano@uscg.mil. If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Tables of Acronyms

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
§ Section Symbol

A. Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted, without change to http://www.regulations.gov and will include any personal information you have provided.

1. Submitting Comments

If you submit a comment, please include the docket number for this rulemaking (USCG–2014–1057), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online (http://www.regulations.gov), or by fax, mail or hand delivery, but please use only one of these means. If you submit a comment online via http://www.regulations.gov, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a phone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to http://www.regulations.gov, type the docket number USCG–2014–1057 in the “SEARCH” box and click “SEARCH.” Click on “Submit a Comment” on the line associated with this rulemaking. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and