responsibilities among the various levels of government.

For the reasons discussed, I certify that this AD:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction; 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.

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):


(a) Applicability

This AD applies to Model AB412 helicopters with a hydraulic external hoist part number BL10300–60 installed, certified in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as failure of a hydraulic external hoist pressure line pump. This condition, if not detected and prevented, could result in loss of hydraulic pressure and subsequent injury to persons being lifted in the hoist.

(c) Effective Date

This AD becomes effective November 24, 2015.

(d) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

(e) Required Actions

Within 10 hours time-in-service (TIS) and thereafter at intervals not to exceed 25 hours TIS:

(1) Inspect the hydraulic external hoist pressure line filter for metal particles.
(2) If there are any metal particles, before further flight, flush the utility hydraulic system, replace the pressure line pump, and replace the filter.

(f) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Group, FAA, may approve AMOCs for this AD. Send your proposal to: Matt Wilbanks, Aviation Safety Engineer, Regulations and Policy Group, Rotorcraft Directorate, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; email: hirth.amoc-requests@faa.gov.

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or, in the case of a certificated repair station, the manager of the local flight standards district office or certificate holding district office, before operating any aircraft complying with this AD through an AMOC.

(g) Additional Information

(1) AgustaWestland Bollettino Tecnico No. 412–140, dated March 11, 2014, which is not incorporated by reference, contains additional information about the subject of this AD. For service information identified in this AD, contact AgustaWestland, Product Support Engineering, Via del Gregge, 100, 21015 Linate Pizzolico (VA) Italy, ATTN: Maurizio D’Angelo; telephone: 39–0331–664757; fax: 39–0331–664680; or at http://www.agustawestland.com/technical-bulletins. You may review a copy of the service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177.


(h) Subject

Joint Aircraft Service Component (JASC) Code: 2550, Cargo Compartments.

Issued in Fort Worth, Texas, on October 30, 2015.

James A. Grigg,
Acting Assistant Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2015–28314 Filed 11–6–15; 8:45 am]

BILLING CODE 4910–13–P
As published, the Model Duo Discus gliders were incorrectly referenced as powered sailplanes in the Applicability section. This could cause confusion because the Model Duo Discus does not have an engine. This document corrects that error and refers to both models as just gliders as in previous ADs. Although no other part of the preamble or regulatory information has been corrected, we are publishing the entire rule in the Federal Register.

The effective date of this AD remains November 18, 2015.

**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 AD:


   (a) Effective Date

   This airworthiness directive (AD) becomes effective on November 18, 2015.

   (b) Affected ADs

   None.

   (c) Applicability

   This AD applies to Schempp-Hirth Flugzeugbau GmbH Model Duo Discus gliders, serial numbers 1 through 639, and Model Duo Discus T gliders, serial numbers 1 through 110 and 112 through 247, certified in any category.

   (d) Subject


   (e) Reason

   This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as excessive load on the air brake system. We are issuing this AD to prevent uncontrolled actuation of the air brakes (symmetric or asymmetric), which could result in reduced control.

   (f) Actions and Compliance

   Unless already done, do the actions in paragraph (f)(1) through (f)(5) of this AD.

   (1) Within 40 days after November 18, 2015 (the effective date of this AD), and repetitively thereafter at intervals not to exceed 100 hours time-in-service until the terminating replacement action required in paragraphs (f)(2) and (f)(3) of this AD (as applicable) is done, inspect the airbrake bell crank, the airbrake drive funnels, and the airbrake control system.


   (2) If cracks or damage is found on the airbrake bell cranks or the airbrake drive funnels during any inspection required in paragraph (f)(1) of this AD, before further flight, replace each cracked or damaged part with a reinforced part. Installing a reinforced part terminates the repetitive inspections required in paragraph (f)(1) of this AD for that part.


   (3) If no cracks or damage were found on the airbrake bell cranks or the airbrake drive funnels during any inspection required in paragraph (f)(1) of this AD, within 12 months after November 18, 2015 (the effective date of this AD), replace each of the airbrake bell cranks and airbrake drive funnels with a reinforced part. These replacements terminate the repetitive inspections required in paragraph (f)(1) of this AD.


   (g) Other FAA AD Provisions

   The following provisions also apply to this AD:

   (1) **Alternative Methods of Compliance (AMOCs):** The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATIN: Jim Rutherford, Aerospace Engineer, FAA, or Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: jim.rutherford@faa.gov. Before using any approved AMOC on any glider to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

   (2) **Airworthy Product:** For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

   (b) Related Information


   (i) 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.


   (3) For Schempp-Hirth Flugzeugbau GmbH service information identified in this AD, contact Schempp-Hirth Flugzeugbau GmbH, [222x80]
I. Background

NTSSA, which was enacted by the 9/11 Commission Act, establishes employee protection provisions for public transportation agency employees who engage in whistleblowing activities pertaining to public transportation safety or security (or, in circumstances covered by the statute, employees perceived to have engaged or to be about to engage in protected activity). See Public Law 110–53, Title XIV, § 1413, 121 Stat. 414 (2007) (NTSSA, codified at 6 U.S.C. 1142).

FRSA, which was amended by the 9/11 Commission Act, establishes employee protection provisions for railroad carrier employees who engage in whistleblowing activities pertaining to railroad safety or security (or, in circumstances covered by the statute, employees perceived to have engaged or to be about to engage in protected activity). Public Law 110–53, Title XV, § 1521, 121 Stat. 444 (2007) (FRSA, codified at 49 U.S.C. 20109). FRSA, as further amended in 2008, establishes whistleblower provisions for railroad carrier employees who are retaliated against for requesting medical or first aid treatment, or for following orders or a treatment plan of a treating physician. See Public Law 110–432, Div. A, Title IV, § 419, 122 Stat. 4892 (Oct. 16, 2008) (FRSA, codified at 49 U.S.C. 20109(c)(2)). The 2008 FRSA amendments also prohibit railroad carriers and other covered persons from denying, delaying, or interfering with the medical or first aid treatment of an employee, and require that an injured employee be promptly transported to the nearest hospital upon request. 49 U.S.C. 20109(c)(1). These rules establish final procedures for the handling of whistleblower complaints under NTSSA and FRSA.

II. Summary of Statutory Procedures

Prior to the 9/11 Commission Act amendment of FRSA, whistleblower retaliation complaints by railroad carrier employees were subject to mandatory dispute resolution pursuant to the Railway Labor Act (45 U.S.C. 151 et seq.), which included whistleblower proceedings before the National Railroad Adjustment Board, as well as other dispute resolution procedures. The amendment changed the procedures for resolution of such complaints and transferred the authority to implement the whistleblower provisions for railroad carrier employees to the Secretary of Labor (Secretary).

The procedures for filing and adjudicating whistleblower complaints under NTSSA and FRSA, as amended, are generally the same.1 FRSA provides that the rules and procedures set forth in the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR 21), 49 U.S.C. 42121(b), govern in FRSA actions, 49 U.S.C. 20109(d)(2). AIR 21’s rules and procedures are very similar to the procedures provided in NTSSA, 6 U.S.C. 1142(c). The NTSSA and FRSA whistleblower provisions include procedures that allow a covered employee to file, within 180 days of the alleged retaliation, a complaint with the Secretary. Upon receipt of the complaint, the Secretary must provide written notice to the person or persons named in the complaint alleged to have violated NTSSA or FRSA (respondent) of the filing of the complaint, the

1 The regulatory provisions in this part have been written and organized to be consistent with other whistleblower regulations promulgated by OSHA to the extent possible within the bounds of the statutory language of NTSSA and FRSA. Responsibility for receiving and investigating complaints under NTSSA and FRSA has been delegated to the Assistant Secretary for Occupational Safety and Health. Secretary’s Order 01–2012 (Jan. 18, 2012), 77 FR 3912 (Jan. 25, 2012). Hearings on determinations by the Assistant Secretary for Occupational Safety and Health and Administrative Law Judges, and appeals from decisions by ALJs are decided by the ARB. Secretary of Labor’s Order No. 2–2012 (Oct. 19, 2012), 77 FR 60378 (Nov. 16, 2012).