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 removing Amendment 39–18432 (81 FR 13717; March 15, 2016), and adding the following new AD:


(a) Comments Due Date

We must receive comments by November 7, 2016.

(b) Affected ADs

This AD replaces AD 2016–06–01, Amendment 39–18432 (81 FR 13717; March 15, 2016).

(c) Applicability


(d) Subject


(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) issued 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 cracks in the inner shell of certain pitot/static pressure heads. We are issuing this proposed AD to change the model applicability due to errors found in AD 2016–06–01.

(f) Actions and Compliance

Unless already done, do the following actions in paragraphs (f)(1) through (5) of this AD:

(1) For all airplanes that are equipped with pitot/static pressure head part number (P/N) DU130–24, except Models BN–2T and BN–2T–4R: Within 50 hours time-in-service (TIS) after April 19, 2016 (the effective date retained from AD 2016–06–01) and repetitively thereafter at intervals not to exceed 50 hours TIS, inspect the pitot/static pressure head for cracks and/or separation and perform a leak test following the procedures in the action section of Britten-Norman Service Bulletin SB 310, Issue 4, dated September 25, 2015.

(2) For Models BN–2T and BN–2T–4R that are equipped with pitot/static pressure head part number (P/N) DU130–24: Within 50 hours TIS after the effective date of this AD and repetitively thereafter at intervals not to exceed 50 hours TIS, inspect the pitot/static pressure head for cracks and/or separation and perform a leak test following the procedures in the action section of Britten-Norman Service Bulletin SB 310, Issue 4, dated September 25, 2015.

(3) For all airplanes equipped with pitot/static pressure head part number (P/N) DU130–24: If, during an inspection or test required in paragraph (f)(1) or (2) of this AD discrepancies are found, before further flight, replace the pitot/static pressure head with an airworthy part.

(4) For all airplanes equipped with pitot/static pressure head part number (P/N) DU130–24: Corrections performed on airplanes as required in paragraph (f)(3) of this AD do not constitute terminating action for the repetitive actions required in paragraph (f)(1) or (2) of this AD.

(5) For all airplanes not equipped with a pitot/static pressure head P/N DU130–24 on the effective date of this AD: After April 19, 2016 (the effective date retained from AD 2016–06–01), do not install a pitot/static pressure head P/N DU130–24.

(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 ATTN: Raymond Johnston, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4195; fax: (816) 329–4090; email: Before using any approved AMOC on any airplane 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

Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2015–0184, dated September 1, 2015; for related information. You may examine the MCAI on the Internet at http://www.regulations.gov by searching for and locating Docket No. FAA–2016–9160. For service information related to this AD, contact Britten-Norman Aircraft Limited, Comodore House, Mountbatten Business Centre, Millbrook Road East, Southampton SO15 1HY, United Kingdom; telephone: +44 20 3371 4000; fax: +44 20 3371 4001; email: info@bnaircraft.com; Internet: http://www.britten-norman.com/customer-support/. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Issued in Kansas City, Kansas, on September 16, 2016.

Pat Mullen,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2016–22831 Filed 9–22–16; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–8833; Airspace Docket No. 16–ACE–8]

Proposed Amendment of Class E Airspace for the Following Iowa Towns: Algona, IA; Ankeny, IA; Atlantic, IA; Belle Plaine, IA; Creston, IA; Estherville, IA; Grinnell, IA; Guthrie Center, IA; and Oelwein, IA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to modify Class E surface area at Ankeny Regional Airport, Ankeny, IA; and Class
E airspace extending upward from 700 feet above the surface at Algona Municipal Airport, Algona, IA; Ankeny Regional Airport; Atlantic Municipal Airport, Atlantic, IA; Belle Plaine Municipal Airport, Belle Plaine, IA; Creston Municipal Airport, Creston, IA; Estherville Municipal Airport, Estherville, IA; Grinnell Regional Airport, Grinnell, IA; Guthrie County Regional Airport, Guthrie Center, IA; and Oelwein Municipal Airport, Oelwein, IA. Decommissioning of non-directional radio beacons (NDB), cancellation of NDB approaches, and implementation of area navigation (RNAV) procedures have made this action necessary for the safety and management of Instrument Flight Rules (IFR) operations at the above airports. Additionally, the geographic coordinates for Algona Municipal Airport, Atlantic Municipal Airport, and Grinnell Regional Airport would be adjusted to coincide with the FAA’s aeronautical database. The name of Belle Plaine, IA, would also be adjusted to correct a misspelling in the legal description.

DATES: Comments must be received on or before November 7, 2016.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–9826, or 1–800–647–5527. You must identify FAA Docket No. FAA–2016–8833; Airspace Docket No. 16–ACE–8, at the beginning of your comments. You may also submit comments through the Internet at http://www.regulations.gov. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Public comments contain information on the availability of FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points. The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) Part 71 by modifying:

Class E surface area airspace within a 4.2-mile radius (increased from the 4-mile radius) of Ankeny Regional Airport, Ankeny, IA;

Class E airspace extending upward from 700 feet above the surface:

By removing the 10-mile extension northwest of Algona Municipal Airport, Algona, IA, and updating the geographic coordinates of the airport to coincide with the FAA’s aeronautical database;

Within a 6.7-mile radius (reduced from the previous 7.1-mile radius) of Ankeny Regional Airport, Ankeny, IA, and removing the extensions 9.3 miles northeast and 11.1 miles north of the airport.

Within a 7.2-mile radius (increased from the 6.8-mile radius) of Atlantic Municipal Airport, Atlantic, IA, with an
extension to the northeast from the 7.2-mile radius to 9.2 miles, and updating the geographic coordinates of the airport to coincide with the FAA’s aeronautical database;

Within a 6.5-mile radius (reduced from the previous 7.6-mile radius) of Belle Plaine Municipal Airport, Belle Plaine, IA, and correcting city designation from Belle Plaine to Belle Plaine;

By removing the 11-mile extension south of Creston Municipal Airport, Creston, IA;

By removing the 7.4-mile extensions south and northwest of Estherville Municipal Airport, Estherville, IA;

Within a 6.5-mile radius (reduced from the previous 7.6-mile radius) of Grinnell Regional Airport, Grinnell, IA, and updating the geographical coordinates of the airport to coincide with the FAA’s aeronautical database;

By adding an extension to the north from the 6.4-mile radius to 9.8 miles of Guthrie County Regional Airport, Guthrie Center, IA;

And within a 6.4-mile radius (reduced from the previous 7.3-mile radius) of Oelwein Municipal Airport, Oelwein, IA.

Airspace reconfiguration is necessary due to the decommissioning of NDBs, cancellation of NDB approaches, and implementation of RNAV procedures at the above airports. Controlled airspace is necessary for the safety and management of the standard instrument approach procedures for IFR operations at the airports.

Class E airspace designations are published in paragraph 6002 and 6005 of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (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); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

Paragraph 6002 Class E Airspace Designated as Surface Areas.

ACE IA E5 Ankeny, IA [Amended]

Ankeny Regional Airport, IA
(Lat. 41°41′29″ N., long. 93°33′59″ W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Ankeny Regional Airport, excluding that portion within the Des Moines Class C airspace area.

Ace IA E5 Atlantic, IA [Amended]

Atlantic Municipal Airport, IA
(Lat. 41°24′14″ N., long. 95°02′56″ W.)

That airspace extending upward from 700 feet above the surface within a 7.2-mile radius of Atlantic Municipal Airport and within 1.8 miles each side of the 022° bearing from the airport extending from the 7.2-mile radius to 9.2 miles northeast of the airport.

ACE IA E5 Belle Plaine, IA [Amended]

Belle Plaine Municipal Airport, IA
(Lat. 41°52′44″ N., long. 92°17′04″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Belle Plaine Municipal Airport, excluding that portion which overlaps the Cedar Rapids, IA, Class E airspace area.

ACE IA E5 Creston, IA [Amended]

Creston Municipal Airport, IA
(Lat. 41°01′17″ N., long. 94°21′48″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Creston Municipal Airport.

ACE IA E5 Estherville, IA [Amended]

Estherville Municipal Airport, IA
(Lat. 43°24′27″ N., long. 94°44′47″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Estherville Municipal Airport.

ACE IA E5 Grinnell, IA [Amended]

Grinnell Regional Airport, IA
(Lat. 41°42′36″ N., long. 92°44′10″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Grinnell Regional Airport.

ACE IA E5 Guthrie Center, IA [Amended]

Guthrie County Regional Airport, IA
(Lat. 41°41′13″ N., long. 93°26′06″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Guthrie County Regional Airport, and within 2 miles each side of the 360° bearing from the airport extending from the 6.4-mile radius to 9.8 miles north of the airport.

ACE IA E5 Oelwein, IA [Amended]

Oelwein Municipal Airport, IA
(Lat. 42°40′51″ N., long. 91°58′28″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Oelwein Municipal Airport.

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Ankeny Regional Airport, excluding that portion within the Des Moines Class C airspace area.

ACE IA E5 Atlantic, IA [Amended]

Atlantic Municipal Airport, IA
(Lat. 41°24′14″ N., long. 95°02′56″ W.)

That airspace extending upward from 700 feet above the surface within a 7.2-mile radius of Atlantic Municipal Airport and within 1.8 miles each side of the 022° bearing from the airport extending from the 7.2-mile radius to 9.2 miles northeast of the airport.

ACE IA E5 Belle Plaine, IA [Amended]

Belle Plaine Municipal Airport, IA
(Lat. 41°52′44″ N., long. 92°17′04″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Belle Plaine Municipal Airport, excluding that portion which overlaps the Cedar Rapids, IA, Class E airspace area.

ACE IA E5 Creston, IA [Amended]

Creston Municipal Airport, IA
(Lat. 41°01′17″ N., long. 94°21′48″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Creston Municipal Airport.

ACE IA E5 Estherville, IA [Amended]

Estherville Municipal Airport, IA
(Lat. 43°24′27″ N., long. 94°44′47″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Estherville Municipal Airport.

ACE IA E5 Grinnell, IA [Amended]

Grinnell Regional Airport, IA
(Lat. 41°42′36″ N., long. 92°44′10″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Grinnell Regional Airport.

ACE IA E5 Guthrie Center, IA [Amended]

Guthrie County Regional Airport, IA
(Lat. 41°41′13″ N., long. 93°26′06″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Guthrie County Regional Airport, and within 2 miles each side of the 360° bearing from the airport extending from the 6.4-mile radius to 9.8 miles north of the airport.

ACE IA E5 Oelwein, IA [Amended]

Oelwein Municipal Airport, IA
(Lat. 42°40′51″ N., long. 91°58′28″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Oelwein Municipal Airport.
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

15 CFR Part 2004

[Docket Number USTR–2016–0015]

RIN 0350–AA08

Freedom of Information Act Policies and Procedures

AGENCY: Office of the United States Trade Representative.

ACTION: Proposed rule with request for comments.

SUMMARY: As part of a comprehensive review of agency practices related to the disclosure of records and information, the Office of the United States Trade Representative (USTR) is updating its implementing rule under the Freedom of Information Act (FOIA). The proposed rule, which is modeled after a template provided by the U.S. Department of Justice, describes how to make a FOIA request to USTR and how the FOIA Office, which includes the USTR officials who are authorized to work on FOIA requests, processes requests for records. We are in the process of renaming and reorganizing part 2004 to include all of the rules governing disclosure of USTR records and information, and with this proposed rule, we are moving the FOIA rule into a new subpart B to part 2004.

DATES: We must receive your written comments on or before November 22, 2016.

ADDRESSES: You should submit written comments through the Federal eRulemaking Portal: http://www.regulations.gov. The docket number for this rulemaking is USTR–2016–0015. USTR invites comments on all aspects of the proposed rule, and will revise the language as appropriate after taking all timely submitted comments into consideration. Copies of all comments will be available for public viewing at www.regulations.gov upon completion of processing. You can view a submission by entering the docket number USTR–2016–0015 in the search field at http://www.regulations.gov. We will post comments without change and will include any personal information you provide, such as your name, mailing address, email address, and telephone number.

FOR FURTHER INFORMATION CONTACT: Janice Kaye, Monique Ricker or Melissa Keppel, Office of General Counsel, United States Trade Representative, Anacostia Naval Annex, Building 410/Door 123, 250 Murray Lane SW., Washington, DC 20509. jkaye@ustr.eop.gov; mricker@ustr.eop.gov; mkeppel@ustr.eop.gov, or the USTR FOIA Public Liaison at FOIA@ustr.eop.gov or 202–395–3419.

SUPPLEMENTARY INFORMATION:

I. Background

USTR has undertaken a comprehensive review of agency practices related to the collection, use, protection and disclosure of USTR records and information. As a result of that review, USTR is updating its FOIA implementing rule. The FOIA, 5 U.S.C. 552, provides a right of access to certain records and information Federal agencies maintain and control. The FOIA requires each Federal agency to publish regulations describing how to submit a FOIA request and how the FOIA Office will process these requests. USTR’s current FOIA rule, codified at 15 CFR part 2004, was last revised in June 2008. See 73 FR 35063, June 20, 2008.

Due to the passage of time and amendments to the FOIA, we are completely rewriting and updating the rule. USTR’s proposed rule is modeled after a template provided by the U.S. Department of Justice, and incorporates the practical experience of the FOIA staff. This rulemaking would move the FOIA rule to a new subpart B to part 2004, which we have proposed renaming and reorganizing to include all of the rules governing disclosure of USTR records and information.

II. Section-by-Section Analysis

Section 2004.1—Purpose and scope: This section describes the purpose of the regulation, which is to implement the FOIA, and explains general policies and procedures for requesters seeking access to records and information, and for processing requests by the USTR FOIA Office.

Section 2004.2—Proactive disclosures: This section describes USTR information the public can access without filing a FOIA request.

Section 2004.3—How to make a FOIA request: This section explains what an individual must do to submit a valid FOIA request to USTR and where a request should be sent. It also describes the information a requester must provide so USTR can identify the records sought and process their request.

Section 2004.4—Confidential commercial information: This section explains when and how a person or entity that submits information to USTR must identify confidential commercial information. It also describes how USTR staff will handle such information.

Section 2004.5—The USTR staff that processes FOIA requests: The USTR FOIA Office handles all FOIA requests. The section explains when the FOIA staff will consult with or refer a request to another Federal agency.

Section 2004.6—When we will respond to your request: This section describes the period of time within which USTR will respond to requests, i.e., ordinarily within twenty working days after the date the request is perfected. It provides for an extension if there are unusual circumstances and explains the requirements for expedited processing. The section also describes our multitrack processing system.

Section 2004.7—What our response will include: This section explains that we will respond to your request in writing either with the requested records or a detailed explanation of the reasons why all of the requested records were not disclosed. We also will provide information about the right of appeal and the mediation services offered by the Office of Government Information Services of the National Archives and Records Administration.

Section 2004.8—What you can do if you are dissatisfied with our response: This section describes when and how a requester may appeal a determination on a FOIA request and how and within what period of time USTR will make a determination on an appeal.

Section 2004.9—Fees: This section describes the different categories of requesters and the types and amounts of fees we may assess to process and respond to a FOIA request.

III. Regulatory Flexibility Act

USTR has considered the impact of the proposed rule and determined that if adopted as a final rule it is not likely to have a significant economic impact on a substantial number of small business entities because it is applicable only to USTR’s internal operations and legal obligations. See 5 U.S.C. 601 et seq.

IV. Paperwork Reduction Act

The proposed rule does not contain any information collection requirement that requires the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).