DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 5
[Docket No. FAA–2009–0671; Amdt. No. 5–1A]
RIN 2120–AJ86

Safety Management System for Domestic, Flag and Supplemental Operations Certificate Holders; Technical Amendment

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; technical amendment.

SUMMARY: This technical amendment corrects an error in the final rule titled Safety Management System for Domestic, Flag and Supplemental Operations Certificate Holders, published on January 8, 2015. In that rule, the FAA amended its regulations to require air carriers conducting domestic, flag and supplemental operations to put a safety management system (SMS) in place by 2018.

DATES: This rule is effective May 25, 2017.

FOR FURTHER INFORMATION CONTACT: Scott Van Buren, Chief System Engineer for Aviation Safety, Office of Accident Investigation and Prevention (AVP), Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 494–8417; facsimile: (202) 267–3992; email: scott.vanburen@faa.gov.

SUPPLEMENTARY INFORMATION:

Good Cause for Immediate Adoption Without Prior Notice

Section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 551 et seq.) authorizes agencies to dispense with notice and comment procedures for rules when the agency for “good cause” finds that those procedures are “unpracticable, unnecessary, or contrary to the public interest.” Under this section, an agency, upon finding good cause, may issue a final rule without seeking comment prior to the rulemaking.

Section 553(d)(3) of the Administrative Procedure Act requires that agencies publish a rule not less than 30 days before its effective date, except as otherwise provided by the agency for good cause found and published with the rule.

This technical amendment corrects an erroneous cross-reference in §5.71(a)(6). This correction will not impose any additional restrictions on the persons
affected by these regulations. Furthermore, any additional delay in making the regulations correct would be contrary to the public interest because it would allow an error in the FAA’s regulations to persist for a longer period of time. Accordingly, the FAA finds that (i) public comment on these standards prior to promulgation is unnecessary, and (ii) good cause exists to make this rule effective in less than 30 days.

Background

In the final rule titled Safety Management System for Domestic, Flag and Supplemental Operations Certificate Holders, published on January 8, 2015 (80 FR 1308), the FAA required air carriers operating under part 121 to develop and implement a safety management system (SMS) to improve the safety of its aviation-related activities. This rule is found in title 14 of the Code of Federal Regulations, part 5. Part 5 consists of six subparts: Subparts A through F.

Section 5.71(a)(6) requires a certificate holder to develop and maintain processes and systems to monitor potential non-compliance with safety risk controls developed through the safety risk management process. The safety risk management process is set out in Subpart C of part 5, but § 5.71(a)(6) erroneously cross-references Subpart B of part 5. Accordingly, this amendment corrects the cross-reference in § 5.71(a)(6) to refer to Subpart C of part 5.

Technical Amendment

The technical amendment corrects § 5.71(a)(6) so that it references Subpart C instead of Subpart B of part 5.

List of Subjects in 14 CFR Part 5

Air carriers, Aircraft, Airmen, Aviation Safety, Reporting and recordkeeping requirements, Safety and transportation.

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends chapter I of title 14, Code of Federal Regulations as follows:

PART 5—SAFETY MANAGEMENT SYSTEMS

§ 5.71 [Amended]

1. In § 5.71, paragraph (a)(6), remove the reference “subpart B” and add, in its place, the reference “subpart C”.


Lirio Liu,
Director, Office of Rulemaking.

[FR Doc. 2017–10737 Filed 5–24–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives: Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Airbus Defense and Space S.A. Model CN–235, CN–235–100, CN–235–200, CN–235–300, and C–295 airplanes. This AD was prompted by a reported inability to extend the external handle of the emergency door from its recess due to a jammed spring mechanism. This AD applies to one-time functional check of each emergency door handle, and corrective actions if necessary. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective June 29, 2017.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of June 29, 2017.

ADDRESSES: For service information identified in this final rule, contact EADS–CASA, Military Transport Aircraft Division (MTAD), Integrated Customer Services (ICS), Technical Services, Avenida de Aragón 404, 28022 Madrid, Spain; telephone: +34 91 585 55 84; fax: +34 91 585 55 05; email: MTA.TechService@casa.eads.net; Internet: http://www.eads.net. 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. It is also available on the Internet at http://www.regulations.gov by searching for and locating Docket No. FAA–2017–0123.

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–2017–0123; 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 AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone: 800–647–5527) is Docket Management Facility, 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:


SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Defense and Space S.A. Model CN–235, CN–235–100, CN–235–200, CN–235–300, and C–295 airplanes. The NPRM published in the Federal Register on February 28, 2017 (82 FR 12074) (“the NPRM”). The NPRM was prompted by a reported inability to extend the external handle of the emergency door from its recess due to a jammed spring mechanism. The NPRM was intended to require a one-time functional check of each emergency door handle, and corrective actions if necessary. We are issuing this AD to detect and correct jamming of the door spring mechanism, which could lead to the inability to push out the emergency door external handle from its position normally aligned with the door skin. This condition could result in the inability to open the emergency door from outside during an emergency.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2016–0051, dated March 11, 2016 (referred to after this as the Mandatory Continuing