

**§ 39.13 [Amended]**

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

**2015-03-02 Airbus:** Amendment 39-18098. Docket No. FAA-2015-0087; Directorate Identifier 2014-NM-234-AD.

**(a) Effective Date**

This AD becomes effective February 24, 2015.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Airbus Model A319-115, A319-133, A320-214, A320-232, and A320-233 airplanes, certificated in any category, manufacturer serial numbers (MSN) 5817, 5826, 5837, 5848, 5855, 5864, 5875, 5886, 5896, and 5910, and MSNs 5918 and subsequent.

**(d) Subject**

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

**(e) Reason**

This AD was prompted by reports of failure of certain fasteners on the main landing gear (MLG) support rib lower flange. We are issuing this AD to detect and correct discrepancies of the fasteners at the outboard MLG support rib lower flange, which could result in an airplane not meeting its maximum loads expected in service. This condition could result in structural failure.

**(f) Compliance**

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

**(g) Repetitive Inspections**

Within 4 months after the effective date of this AD, or within 4 months after the date of issuance of the original certificate of airworthiness or the original export certificate of airworthiness, or before further flight for any airplane that is not in operation for more than 4 months, whichever occurs latest: Do a detailed visual inspection of the left and right outboard MLG support rib lower flange to detect any discrepancy (broken or missing fastener tails or nuts), in accordance with Airbus Alert Operators Transmission (AOT) A57N006-14, Revision 00, dated December 4, 2014. Repeat the inspection thereafter at intervals not to exceed 4 months.

**(h) Corrective Actions for the Inspections Required by Paragraph (g) of This AD**

If, during any inspection required by paragraph (g) of this AD, any discrepancy is found on the left or right outboard MLG support rib lower flange: Before further flight, replace all affected fasteners on the affected side(s), in accordance with Airbus AOT-A57N006-14, Revision 00, dated December 4, 2014. Replacement of fasteners on an airplane does not constitute terminating action for the repetitive inspections required by paragraph (g) of this AD.

**(i) Other FAA Provisions**

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM-116, Transport Airplane Directorate, 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 International Branch, send it to ATTN: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1405; fax 425-227-1149. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@faa.gov). 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, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

**(j) Special Flight Permits**

Special flight permits, as described in Section 21.197 and Section 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199), are not allowed.

**(k) Related Information**

Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2014-0270R1, dated December 15, 2014, for related information. You may examine the MCAI on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-0087.

**(l) 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 this AD specifies otherwise.

(3) The following service information was approved for IBR on February 6, 2015 (80 FR 3155, January 22, 2015).

(i) Airbus Alert Operators Transmission A57N006-14, Revision 00, dated December 4, 2014.

(ii) Reserved.

(4) For service information identified in this AD, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email [account.airworth-eas@airbus.com](mailto:account.airworth-eas@airbus.com); Internet <http://www.airbus.com>.

(5) 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.

(6) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on January 30, 2015.

**Jeffrey E. Duven,**

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015-02407 Filed 2-6-15; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 91**

[Docket No. FAA-2007-29305; Amdt. No. 91-334]

**RIN 2120-AI92**

**Automatic Dependent Surveillance-Broadcast (ADS-B) Out Performance Requirements To Support Air Traffic Control (ATC) Service; Technical Amendment**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The FAA is correcting a final rule published on May 28, 2010. In that rule, the FAA amended its regulations by adding equipment requirements and performance standards for Automatic Dependent Surveillance—Broadcast (ADS-B) Out avionics on aircraft operating in Classes A, B, and C airspace, as well as other specified classes of airspace within the U.S. National Airspace System (NAS). This document corrects errors in regulatory provisions addressing ADS-B Out equipment and use.

**DATES:** Effective February 9, 2015.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this action, contact Robert F. Nichols, Jr., Surveillance Services Group Manager, AJM-23, Air Traffic Organization, Federal Aviation Administration, 600 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-0629; email [Robert.nichols@faa.gov](mailto:Robert.nichols@faa.gov).

For legal questions concerning this action, contact Lorelei Peter, Office of the Chief Counsel, AGC-200, Federal Aviation Administration, 800

Independence Avenue SW., Washington, DC 20591; telephone 202-267-3073; email *Lorelei.Peter@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 “impracticable, 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 document is correcting an error that is in 14 CFR 91.225, ADS-B Out equipment and use. 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. 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**

On May 28, 2010, the FAA published a final rule entitled, “Automatic Dependent Surveillance—Broadcast Out Performance Requirements To Support Air Traffic Control Service” (75 FR 30160).

In that final rule, the FAA established § 91.225, which provides the ADS-B equipment requirements necessary to operate in certain classes of airspace effective January 1, 2020. Under paragraph (a)(1) of that section and in order to operate an aircraft in Class A airspace, an aircraft must have installed equipment that “meets the requirements of TSO-C166b.” Under paragraph (b)(1) of that section, in order to operate an aircraft below 18,000 feet MSL and in identified airspace described subsequently in § 91.225, an aircraft must be equipped with equipment that “meets the requirements of TSO-C166b; or TSO-C154c . . .”. In reviewing these paragraphs, the FAA notes that the regulatory text implies that the equipment must meet all the requirements of the referenced TSOs. As the ADS-B Out rule is a performance-

based rule, it was not the FAA’s intent to arguably limit operators to only install equipment marked with a TSO in accordance with 14 CFR part 21, subpart O. The FAA’s intent was to permit equipment that meets the performance requirements set forth in the referenced TSOs. Evidence of that intent is found in the Notice of Proposed Rulemaking (NPRM) for this rule. In the NPRM, the FAA proposed in § 91.225(a)(1) and (c)(1) that the equipment installed “Meets the performance requirements in TSO-C-166a” (72 FR 56947, 56971). The inadvertent removal of the word “performance” in the paragraphs implementing these provisions in the final rule was in error and resulted in confusion as to whether the regulation permits other than equipment marked with a TSO, provided that equipment met the specified performance requirements.

**Technical Amendment**

In order to address any confusion and clarify the equipage requirements permitted under this rule, the FAA is amending § 91.225 to insert text specifying the necessary performance requirements.

Because the changes in this technical amendment result in no substantive change, we find good cause exists under 5 U.S.C. 553(d)(3) to make the amendment effective in less than 30 days.

**List of Subjects in 14 CFR part 91**

Air traffic control, Aircraft, Airports, Aviation safety.

**The Amendment**

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

**PART 91—GENERAL OPERATING AND FLIGHT RULES**

- 1. The authority citation for part 91 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 1155, 40101, 40103, 40105, 40113, 40120, 44101, 44111, 44701, 44704, 44709, 44711, 44712, 44715, 44716, 44717, 44722, 46306, 46315, 46316, 46504, 46506-46507, 47122, 47508, 47528-47531, 47534, articles 12 and 29 of the Convention on International Civil Aviation (61 Stat. 1180), (126 Stat. 11).

- 2. In § 91.225, revise paragraphs (a) and (b) to read as follows:

**§ 91.225 Automatic Dependent Surveillance-Broadcast (ADS-B) Out equipment and use.**

(a) After January 1, 2020, and unless otherwise authorized by ATC, no person may operate an aircraft in Class A

airspace unless the aircraft has equipment installed that—

(1) Meets the performance requirements in TSO-C166b, Extended Squitter Automatic Dependent Surveillance-Broadcast (ADS-B) and Traffic Information Service-Broadcast (TIS-B) Equipment Operating on the Radio Frequency of 1090 Megahertz (MHz); and

(2) Meets the requirements of § 91.227.

(b) After January 1, 2020, and unless otherwise authorized by ATC, no person may operate an aircraft below 18,000 feet MSL and in airspace described in paragraph (d) of this section unless the aircraft has equipment installed that—

(1) Meets the performance requirements in—

(i) TSO-C166b; or

(ii) TSO-C154c, Universal Access Transceiver (UAT) Automatic Dependent Surveillance-Broadcast (ADS-B) Equipment Operating on the Frequency of 978 MHz;

(2) Meets the requirements of § 91.227.

\* \* \* \* \*

Issued under authority of 49 U.S.C. 106(f) and in Washington, DC, on February 4, 2015.

**Lirio Liu,**

*Director, Office of Rulemaking.*

[FR Doc. 2015-02579 Filed 2-6-15; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**Bureau of the Census**

**15 CFR Part 30**

[Docket Number: 140626542-4999-02]

**RIN 0607-AA52**

**Foreign Trade Regulations (FTR): Clarification on Uses of Electronic Export Information**

**AGENCY:** Bureau of the Census, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of the Census (Census Bureau) issues this final rule amending the Foreign Trade Regulations (FTR) to reflect changes related to the implementation of the International Trade Data System (ITDS) and subsequent changes to access the Electronic Export Information (EEI). The ITDS was established to eliminate redundant information requirements, efficiently regulate the flow of commerce, and to effectively enforce laws and regulations relating to international trade by establishing a