

rule requirements pursuant to the commenter's suggestions; the potential quantifiable benefits including security and societal benefits of modifying the existing regulatory requirements; and the potential impacts on small entities of modifying the existing regulatory requirements.

Written comments may be submitted electronically or by mail, as explained previously in the **ADDRESSES** section of this ANPRM. To avoid duplication, please use only one of these methods to submit written comments.

Except as provided below, all comments received, as well as pertinent background documents, will be posted without change to <http://www.regulations.gov>, including any personal information provided.

#### *B. Handling of Proprietary or Business Sensitive Information*

Interested parties are encouraged to submit comments in a manner that avoids discussion of trade secrets, confidential commercial or financial information, CII or PCII, or any other category of sensitive information that should not be disclosed to the general public. If it is not possible to avoid such discussion, however, please specifically identify any confidential or sensitive information contained in the comments with appropriate warning language (*e.g.*, any PCII must be marked and handled in accordance with the requirements of 6 CFR part 29 §§ 29.5–29.7) and submit them by mail to the PCII Program Manager listed in the **FOR FURTHER INFORMATION CONTACT** section.

DHS will not place any confidential or sensitive comments in the public docket; rather, DHS will handle them in accordance with applicable safeguards and restrictions on access. *See, e.g.*, 6 CFR part 29 §§ 29.5–29.7. *See also* the DHS PCII Procedures Manual (“Protected Critical Infrastructure Information Program,” April 2009, located on the DHS Web site at [www.dhs.gov/protected-critical-infrastructure-information-pcii-program](http://www.dhs.gov/protected-critical-infrastructure-information-pcii-program)). DHS will hold any such comments in a separate file to which the public does not have access, and place a note in the public docket that DHS has received such materials from the commenter. DHS will provide appropriate access to such comments upon request to individuals who meet the applicable legal requirements for access of such information.

#### **IV. Listening Sessions**

##### *A. Purpose*

DHS will hold listening sessions on how the current PCII Program

regulations, codified at 6 CFR part 29, “Procedures for Handling Critical Infrastructure Information,” might be improved.

##### *B. Procedures and Participation*

These meetings are open to the public. The listening sessions will be made available online via webinar and can be accessed through the following link, <https://share.dhs.gov/pcii-training/>, at the beginning of each listening session. Additionally, there will be a conference bridge made available so members of the public can dial into the listening sessions for audio. The conference bridge phone number for all the 10:00 a.m. to 12:30 p.m. EST listening sessions is 1–800–369–1912 followed by entering the participant passcode: 3922843. The conference bridge phone number for all the 2:00 p.m. to 4:30 p.m. EST listening sessions is 1–888–790–1952 followed by entering the participant passcode: 1933978. There are no fees to attend any of the listening sessions. DHS will do its best to accommodate all persons who wish to make a comment during the listening sessions. DHS encourages persons and groups having similar interests to consolidate their information for presentation through a single representative.

The listening sessions are intended for technical experts, who have a cyber, security, regulatory or other background to discuss the proposed topics regarding updates to the PCII Program at an expert level. However, individuals who are not technical experts (or who do not meet the other criteria) may still attend and participate in the meeting. The listening sessions are intended to afford the public an opportunity to provide comments to DHS concerning the PCII Program and updating its current regulation. For the listening sessions, comments are requested not to exceed four minutes at a time to enable all interested attendees an opportunity to provide comment. Should time permit, commenters who need additional time may be invited to complete their comments. The listening sessions may adjourn early if all commenters present have had the opportunity to speak prior to the scheduled conclusion of the session. Participants who speak will be asked to provide their name, title, company and stakeholder segment. The listening sessions will be recorded to support the note-taking effort. Notes from the listening sessions, including the webinar materials, will be posted at <http://www.regulations.gov>. DHS will place a transcript of the listening

sessions in the docket for this rulemaking.

**Tammy Barbour,**

*Protected Critical Infrastructure Information, (PCII) Program Manager, Infrastructure, Information Collection Division.*

[FR Doc. 2016–11338 Filed 5–10–16; 4:15 pm]

**BILLING CODE 9110–9P–P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA–2016–6665; Directorate Identifier 2015–NM–070–AD]**

**RIN 2120–AA64**

#### **Airworthiness Directives; Fokker Services B.V. 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 Fokker Services B.V. Model F28 Mark 0070 and 0100 airplanes. This proposed AD was prompted by an aileron-wing flutter analysis finding that when a hydraulic aileron actuator is not powered, while at least one aileron flutter damper is inoperative (latent failure), the maximum speed currently defined in the airplane flight manual (AFM) is insufficient to meet the required safety margin. This proposed AD would require revising the AFM to include procedures to follow in the event of a hydraulic system failure and abnormal flight control behavior. We are proposing this AD to ensure that the flightcrew has procedures to follow in the event of a hydraulic system failure and abnormal flight control behavior. If not corrected, this condition could lead to aileron flutter and possible reduced control of the airplane.

**DATES:** We must receive comments on this proposed AD by June 27, 2016.

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *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.
- *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.

For service information identified in this NPRM, contact Fokker Services B.V., Technical Services Dept., P.O. Box 1357, 2130 EL Hoofddorp, the Netherlands; telephone +31 (0)88-6280-350; fax +31 (0)88-6280-111; email [technicalservices@fokker.com](mailto:technicalservices@fokker.com); Internet <http://www.myfokkerfleet.com>. 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.

### 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-2016-6665; 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 proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 253-227-1137; fax 253-227-1149.

### 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-2016-6665; Directorate Identifier 2015-NM-070-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 <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 2015-0078, dated May 6, 2015 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Fokker Services B.V. Model F28 Mark 0070 and 0100 airplanes. The MCAI states:

In the frame of a complementary aileron-wing flutter analysis performed by Fokker Services, it has been found that in case a hydraulic aileron actuator is not powered, while at least one aileron flutter damper is inoperative (latent failure), the maximum speed currently defined in the Airplane Flight Manual (AFM) is insufficient to meet the required safety margin.

This condition, if not corrected, could lead to aileron flutter, possibly resulting in reduced control of the aeroplane.

To address this potential unsafe condition, Fokker Services published an AFM change through Manual Change Notification—Operational (MCNO) F100-066 which introduces an additional step in the Abnormal Procedures for [a] hydraulic [system] failure and for abnormal flight control behaviour. This new step consists in a speed reduction to Vra (IAS 250kt/M 0.65) to restore a sufficient margin to the flutter speed.

For the reasons described above, this [EASA] AD requires incorporation of the amended abnormal procedures into the applicable AFM.

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-6665.

### Related Service Information Under 1 CFR Part 51

Fokker Services B.V. has issued Fokker 70/100 Manual Change Notification—Operational Documentation MCNO F100-066, dated December 1, 2014. The service information contains amendments to applicable AFMs that introduce an additional step in the abnormal procedures for a hydraulic system failure and abnormal flight control behavior. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

### FAA’s Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our

bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of these same type designs.

### Costs of Compliance

We estimate that this proposed AD affects 8 airplanes of U.S. registry.

We also estimate that it would take about 1 work-hour per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be \$680, or \$85 per product.

### 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 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 adding the following new airworthiness directive (AD):

**Fokker Services B.V.:** Docket No. FAA–2016–6665; Directorate Identifier 2015–NM–070–AD.

##### (a) Comments Due Date

We must receive comments by June 27, 2016.

##### (b) Affected ADs

None.

##### (c) Applicability

This AD applies to all Fokker Services B.V. Model F28 Mark 0070 and 0100 airplanes, certificated in any category, all serial numbers.

##### (d) Subject

Air Transport Association (ATA) of America Code 27, Flight Controls.

##### (e) Reason

This AD was prompted by an aileron-wing flutter analysis finding that when a hydraulic aileron actuator is not powered, while at least one aileron flutter damper is inoperative (latent failure), the maximum speed currently defined in the airplane flight manual (AFM) is insufficient to meet the required safety margin. We are proposing this AD to ensure that the flightcrew has procedures to follow in the event of a hydraulic system failure and abnormal flight control behavior. If not corrected, this condition could lead to aileron flutter and possible reduced control of the airplane.

##### (f) Compliance

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

##### (g) AFM Revision

Within 12 months after the effective date of this AD, revise the Abnormal Procedures and Limitations sections of the applicable

AFM to include the information in Fokker 70/100 Manual Change Notification—Operational Documentation MCNO F100–066, dated December 1, 2014. This may be accomplished by inserting a copy of Fokker 70/100 Manual Change Notification—Operational Documentation MCNO F100–066, dated December 1, 2014, into the applicable AFM. Fokker 70/100 Manual Change Notification—Operational Documentation MCNO F100–066, dated December 1, 2014, introduces procedures for the flightcrew to follow in the event of a hydraulic system failure and abnormal flight control behavior. When the information in Fokker 70/100 Manual Change Notification—Operational Documentation MCNO F100–066, dated December 1, 2014, is included in the general revisions of the AFM, the general revisions may be inserted in the AFM, and Fokker Manual Change Notification—Operational Documentation MCNO F100–066, dated December 1, 2014, may be removed.

##### (h) Other FAA AD Provisions

The following provisions also apply to this AD:

(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: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1137; 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 Fokker B.V. Service's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

##### (i) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2015–0078, dated May 6, 2015, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2016–6665.

(2) For service information identified in this AD, contact Fokker Services B.V., Technical Services Dept., P.O. Box 1357,

2130 EL Hoofddorp, the Netherlands; telephone +31 (0)88–6280–350; fax +31 (0)88–6280–111; email [technicalservices@fokker.com](mailto:technicalservices@fokker.com); Internet <http://www.myfokkerfleet.com>. 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.

Issued in Renton, Washington, on May 4, 2016.

**Michael Kaszycki,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2016–11172 Filed 5–12–16; 8:45 am]

**BILLING CODE 4910–13–P**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2016–6667; Directorate Identifier 2015–NM–125–AD]

RIN 2120–AA64

#### Airworthiness Directives; The Boeing Company Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to supersede Airworthiness Directive (AD) 2009–21–01, which applies to certain Boeing Model 737–300 and 737–400 series airplanes. AD 2009–21–01 currently requires repetitive inspections to detect cracking of the aft fuselage skin, and related investigative and corrective actions if necessary. Since we issued AD 2009–21–01, an evaluation by the design approval holder (DAH) indicates that the aft fuselage skin is subject to widespread fatigue damage (WFD). This proposed AD would add new aft fuselage skin inspections for cracking, inspections to detect missing or loose fasteners and any disbonding or cracking of bonded doublers, permanent repairs of time-limited repairs, related investigative and corrective actions if necessary, and skin panel replacement. The proposed AD also removes Model 737–400 series airplanes from the applicability. We are proposing this AD to detect and correct cracking in the aft fuselage skin along the longitudinal edges of the bonded skin doubler, which could result in possible rapid decompression and reduced structural integrity of the airplane.

**DATES:** We must receive comments on this proposed AD by June 27, 2016.