

**(j) 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: Shahram Daneshmandi, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1112; 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 Defense and Space S.A.'s EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

**(k) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2016-0012, dated January 14, 2016, for related information. You may examine the MCAI on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-3704.

(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (l)(3) and (l)(4) of this AD.

**(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.

(i) Airbus Defence and Space Alert Operators Transmission AOT-C295-27-0001, Revision 1, dated September 29, 2015.

(ii) Airbus Defence and Space Alert Operators Transmission AOT-CN235-27-0002, Revision 1, dated September 22, 2015.

(3) For service information identified in this AD, contact Airbus Defense and Space S.A., Services/Engineering Support, Avenida de Aragón 404, 28022 Madrid, Spain; telephone +34 91 585 55 84; fax +34 91 585 3127; email [MTA.TechnicalServices@military.airbus.com](mailto:MTA.TechnicalServices@military.airbus.com). For U.S. operators, email alternatively [TechnicalSupport@airbusmilitaryna.com](mailto:TechnicalSupport@airbusmilitaryna.com).

(4) 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.

(5) 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 February 15, 2016.

**Michael Kaszycki,**

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

[FR Doc. 2016-03883 Filed 2-25-16; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

**[Docket No. FAA-2015-0681; Directorate Identifier 2014-NM-201-AD; Amendment 39-18400; AD 2016-04-06]**

**RIN 2120-AA64**

**Airworthiness Directives; The Boeing Company Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes. This AD was prompted by a determination that a repetitive test is needed to inspect the components on airplanes equipped with a certain air distribution system configuration. This AD requires doing repetitive testing for correct operation of the equipment cooling system and low pressure environmental control system, and corrective actions if necessary. This AD also requires, for certain airplanes, installing new relays and doing wiring changes to the environmental control system. We are issuing this AD to detect and correct latent failures of the equipment cooling system and low pressure environmental control system, which, in combination with a cargo fire event, could result in smoke in the flight deck and/or main cabin, and possible loss of aircraft control.

**DATES:** This AD is effective April 1, 2016.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of April 1, 2016.

**ADDRESSES:** For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.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. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-0681.

**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-2015-0681; 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 address for the Docket Office (phone: 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:** Stanley Chen, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM-150S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6585; fax: 425-917-6590; email: [stanley.chen@faa.gov](mailto:stanley.chen@faa.gov).

**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 The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes. The NPRM published in the **Federal Register** on April 1, 2015 (80 FR 17368) ("the NPRM"). The NPRM was prompted by a determination that a repetitive test is needed to inspect the components on airplanes equipped with a certain air distribution system configuration. The NPRM proposed to require repetitive testing for correct operation of the equipment cooling system and low pressure environmental control system, and corrective actions if necessary. The

NPRM also proposed to require, for certain airplanes, installing new relays and doing wiring changes to the environmental control system. We are issuing this AD to detect and correct latent failures of the equipment cooling system and low pressure environmental control system, which, in combination with a cargo fire event, could result in smoke in the flight deck and/or main cabin, and possible loss of aircraft control.

#### Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM and the FAA's response to each comment.

#### Request To Clarify Conditions Leading to Unsafe Condition

Boeing requested that we revise the unsafe condition to clarify that latent failures of the equipment cooling system and low pressure environmental control system alone do not create the unsafe condition addressed in the NPRM. Boeing explained that the unsafe condition is a combination of a failure of both systems along with a cargo fire event, which could lead to a smoke penetration hazard.

We agree to revise the description of the events leading to the unsafe condition, and have revised the **SUMMARY** section in this final rule and paragraph (e) of this AD accordingly.

#### Request To Clarify Unsafe Condition

Boeing requested that we revise the NPRM to clarify that the hazard being mitigated by the NPRM is smoke penetration into the occupied areas of the airplane—the flight deck or the main cabin (not just the flight deck). Boeing stated that failure of the equipment cooling system and/or low pressure environmental control system, in combination with a cargo fire event, could lead to cargo smoke penetration into the flight deck and/or main cabin, either of which could be catastrophic.

We agree that clarification is needed to specify that the hazard being mitigated by the NPRM is smoke penetration into flight deck and main cabin, which are occupied areas of the airplane. We have revised the **SUMMARY** section in this final rule and paragraph (e) of this AD accordingly.

#### Request To Match Repetitive Interval in Service Information

Boeing, Delta Airlines (Delta), United Airlines (United), and Yuta Kobayashi requested that we revise the repetitive interval for the operational test from 9,000 flight cycles to 9,000 flight hours.

Boeing stated that a 9,000 flight-hour interval is supported by a fault tree analysis, whereas the repetitive interval of 9,000 flight cycles required by the NPRM is not. Mr. Kobayashi stated that a correction needed to be made since Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014, states the repetitive interval in flight hours.

We agree with the request to revise the repetitive interval since the repetitive interval in flight hours matches the interval stated in Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014. In the proposed AD, we inadvertently specified flight “cycles” instead of flight “hours.” We have revised the interval in paragraph (g) of this AD from flight “cycles” to flight “hours.”

#### Request To Clarify Airplanes Subject to Repetitive Testing Requirement

The Discussion section of the NPRM stated that a repetitive test is needed on airplanes equipped with an air distribution system that had been reconfigured in accordance with Boeing Special Attention Service Bulletin 737–26–1122. Boeing requested that we revise the NPRM to clarify that all Model 737–600, –700, –700C, –800, –900 and –900ER airplanes are subject to the repetitive testing (as specified in Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014)—not just those airplanes with reconfigured air distribution systems. Boeing added that Model 737–700C and 737–900 airplanes were not subject to the same changes and thus were not included in the effectivity of Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009.

We agree that Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014, describes procedures for the operational testing of the equipment cooling system and low pressure environmental control systems, and that all 737–600, –700, –700C, –800, –900 and –900ER airplanes are subject to this repetitive testing. However, the Discussion section that appeared in the NPRM is not repeated in this final rule. Therefore no change has been made to this final rule in this regard.

#### Request To Exclude Certain Airplanes From Applicability

Delta requested that we revise the NPRM to exclude airplanes that have not been modified by Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009. Delta further requested that these airplanes be subject to evaluation for additional separate rulemaking.

Delta stated that it believes two separate airworthiness concerns must be addressed. Delta stated that the first concern identified by the NPRM is a potential latent failure of the equipment cooling system and low pressure environmental control system; Delta noted this condition is addressed by Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014.

Delta stated that the second concern, not identified by the NPRM, is the need to properly isolate the occupied areas of the airplane from smoke intrusion in the event of a cargo compartment fire; Delta noted this condition is addressed by the following service information:

- Boeing Special Attention Service Bulletin 737–26–1121, Revision 1, dated October 26, 2009.
- Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009.
- Boeing Special Attention Service Bulletin 737–21–1135, Revision 1, dated November 13, 2008.
- Boeing Special Attention Service Bulletin 737–21–1163, Revision 1, dated December 17, 2009.

Delta stated this service information introduces, among other tasks, better sealing of the cargo compartment and changes to the environmental control system to keep the cargo compartment at a lower pressure than that of the cabin in order to keep smoke from a cargo compartment fire out of occupied areas.

We disagree with the request to exclude the airplanes identified by the commenter and consider separate rulemaking for those airplanes. The primary airworthiness concern addressed by the requirements in this AD is the lack of a procedure to detect and correct latent failures of the equipment cooling system and low pressure environmental control system, which, in combination with a cargo fire event, could result in smoke in the flight deck and/or main cabin, and possible loss of aircraft control. This unsafe condition affects all Model 737–600, –700, –700C, –800, –900, and –900ER airplanes, regardless of whether Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009, has been done. Therefore, all Model 737–600, –700, –700C, –800, –900, and –900ER airplanes are subject to the repetitive testing in Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014, not just those airplanes reconfigured using Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009.

For certain airplanes, Boeing Special Attention Service Bulletin 737–26–

1122, Revision 1, dated August 13, 2009, is a concurrent requirement because the actions specified Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009, must be done to make sure the testing results are satisfactory (*e.g.*, electrical components that are required to reconfigure the air distribution system during a cargo fire event need to be installed).

In addition, the installation and changes specified in paragraph B. “Concurrent Requirements” of Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009, will need to be implemented, if not already done, in order accomplish the concurrent requirements as specified in Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009. These measures are necessary to properly isolate the occupied areas of the aircraft from smoke penetration in the event of a cargo compartment fire, such as changes to the cargo compartment sealing and equipment cooling system to keep the cargo compartment at a lower pressure than the cabin pressure. Therefore, we have not changed this final rule regarding this issue.

#### **Request To Incorporate Additional Service Information and Revise the Costs of Compliance Section**

Delta and Southwest Airlines (Southwest) requested that the Costs of Compliance section of the NPRM be revised to capture the costs of the following service information since they are identified as “Concurrent Requirements” in Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009:

- Boeing Special Attention Service Bulletin 737–26–1121, Revision 1, dated October 26, 2009.
- Boeing Special Attention Service Bulletin 737–21–1135, Revision 1, dated November 13, 2008.
- Boeing Special Attention Service Bulletin 737–21–1163, Revision 1, dated December 17, 2009.

Delta stated these concurrent service bulletins add a significant burden to operators in terms of labor and time since they amount to 190 additional work-hours. Delta added that since these concurrent actions add significant change in scope, it is necessary to withdraw the existing proposed rule, allow operators the opportunity to comment on their incorporation, and reissue a revised rule with a new comment period. Additionally, Delta asked that these documents be specified by their explicit revision level in order

to ensure the correct intended compliance actions are satisfied.

We agree to add the labor and parts costs for concurrent accomplishment of Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009, because it is a requirement of this final rule for Group 1 airplanes; the costs for this action were inadvertently omitted from the NPRM.

We also acknowledge the installation and changes specified in paragraph B. “Concurrent Requirements” of Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009, may also need to be done for certain airplanes. We have therefore revised the Costs of Compliance section of this final rule by adding 208 work-hours and a parts cost of \$27,323 for the concurrent action.

We do not agree to withdraw the existing NPRM and reissue a revised NPRM with a new comment period. To delay this final rule would be inappropriate, since we have determined that an unsafe condition exists. However, under the provisions of paragraph (j) of this AD, we may approve requests for adjustments to the compliance time if data are submitted to substantiate that such an adjustment would provide an acceptable level of safety. We have not changed this final rule in this regard.

#### **Request To Clarify Conflicting Concurrent Requirements**

Jet2.com requested that compliance guidance be given for airplanes equipped with Supplemental Type Certificate (STC) ST02076LA ([http://rgl.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rqstc.nsf/0/73f6dd3b3bfe1890862578af0053cf0a/\\$FILE/ST02076LA.pdf](http://rgl.faa.gov/Regulatory_and_Guidance_Library/rqstc.nsf/0/73f6dd3b3bfe1890862578af0053cf0a/$FILE/ST02076LA.pdf)); specifically, Jet2.com asked for clarification for airplanes that accomplished STC ST02076LA as an alternative action to installing the automatic shutoff system for the center tank fuel boost pumps using Boeing Alert Service Bulletin 737–28A1206, Revision 2, dated May 21, 2009, which is required by AD 2011–18–03, Amendment 39–16785 (76 FR 53317, August 26, 2011). Jet2.com explained that while the concurrent service information is clear for accomplishing the required actions of the proposed AD, actions for airplanes having STC ST02076LA are not clear.

We agree to clarify the concurrent requirements of this AD. Paragraph B., “Concurrent Requirements,” of Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009, refers to Boeing Special Attention Service Bulletin 737–21–1135, dated

December 12, 2007, for certain changes. However, Boeing Special Attention Service Bulletin 737–21–1135, dated December 12, 2007, inadvertently specified concurrent accomplishment of Boeing Alert Service Bulletin 737–28A1206, dated January 11, 2006. Boeing subsequently issued Special Attention Service Bulletin 737–21–1135, Revision 1, dated November 13, 2008, which no longer identifies Boeing Alert Service Bulletin 737–28A1206, dated January 11, 2006, as concurrent service information. We have revised paragraph (h) of this AD to clarify the concurrent requirements and state that Boeing Alert Service Bulletin 737–28A1206, dated January 11, 2006, is not required by this AD.

#### **Request To Clarify Initial Compliance Time for Production Airplanes**

American requested that we clarify the initial compliance times for airplanes that have not yet been delivered, since the proposed AD specifies a compliance time for the initial testing of only in-service airplanes, but not airplanes that are in production. American also requested a more definitive method of determining aircraft effectivity than relying on “the ‘Get Effectivity’ function on myboeingfleet.com” as specified in Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014.

We agree that clarification is necessary. Group 3 airplanes in Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014, are identified as those having line numbers 1701 and all line numbers after 1701. It is not necessary to use the “Get Effectivity” function on “myboeingfleet.com” because airplanes in production are Group 3 airplanes. The compliance time for Group 3 airplanes as specified in the NPRM is within 10 months. However, we have determined that for airplanes having line numbers 4923, 4924, and 4926 and subsequent, which were delivered after the issuance of Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014, a compliance time of “before the accumulation of 9,000 total flight hours” will provide an acceptable level of safety. We have coordinated this change with Boeing. As a result, we have restructured paragraph (g) to include new subparagraphs (g)(1) and (g)(2).

#### **Request To Revise Initial Compliance Time Relative to AD Effective Date**

United requested that we clarify the initial compliance times for the test for correct operation of the equipment cooling system and low pressure environmental control system of the

proposed AD. United requested that the compliance time be revised from the effective date of the service bulletin to the effective date of the AD since Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014, was not required at the time it was published and therefore, some operators may already be beyond the compliance time when this AD is issued.

We agree that clarification is necessary. This AD requires compliance within the specified compliance time after the effective date of this AD. This provision was specified in paragraph (i) of the proposed AD, and is retained in this AD. We have not changed this AD in this regard.

#### Request To Refer to a Maintenance Planning Document (MPD) as a Method of Compliance

Aeroflot requested that we refer to Boeing Maintenance Planning Document B737 MPD 21–050–00. Aeroflot stated that the MPD and Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014, refer to the same task specified in Boeing Airplane Maintenance Manual 21–27–00–700.

We disagree with the request. Although this final rule does not refer to Boeing B737 MPD 21–050–00 as a method of compliance, operators may apply for an alternative method of compliance (AMOC) for these actions in accordance with the provisions of paragraph (j)(1) of this AD if sufficient data are submitted to substantiate that

the MPD provides an acceptable level of safety. We have not changed this AD in this regard.

#### Clarification Regarding the Installation of Winglets

Aviation Partners Boeing stated that the installation of winglets per Supplemental Type Certificate (STC) ST00830SE ([http://rgl.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rstc.nsf/0/408E012E008616A7862578880060456C?OpenDocument&Highlight=st00830se](http://rgl.faa.gov/Regulatory_and_Guidance_Library/rstc.nsf/0/408E012E008616A7862578880060456C?OpenDocument&Highlight=st00830se)) does not affect compliance.

We agree with the commenter that Supplemental Type Certificate (STC) ST00830SE ([http://rgl.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rstc.nsf/0/408E012E008616A7862578880060456C?OpenDocument&Highlight=st00830se](http://rgl.faa.gov/Regulatory_and_Guidance_Library/rstc.nsf/0/408E012E008616A7862578880060456C?OpenDocument&Highlight=st00830se)) does not affect the accomplishment of the manufacturer's service instructions. Therefore, the installation of STC ST00830SE does not affect the ability to accomplish the actions required by this AD. We have not changed this AD in this regard.

#### Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this AD with the changes described previously and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

#### Related Service Information Under 1 CFR Part 51

We reviewed Boeing Alert Service Bulletin 737–26A1137, dated May 22, 2014, which describes procedures for repetitive testing for correct operation of the smoke clearance mode of the equipment cooling system and low pressure environmental control system, and applicable corrective actions.

We also reviewed Boeing Special Attention Service Bulletin 737–26–1122, Revision 1, dated August 13, 2009, which describes procedures for installing new relays and doing wiring changes to the environmental control system.

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.

#### Costs of Compliance

We estimate that this AD affects 1,372 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

#### ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Operational Test .....	4 work-hours × \$85 per hour = \$340 per operation test cycle.	\$0 .....	\$340 per operation test cycle.	\$466,480 per operation test cycle.
Installation of new relays and wiring changes to the environmental control system (concurrent actions) (up to 613 airplanes).	Up to 208 work-hours × \$85 per hour = \$17,680.	Up to \$27,323 .....	Up to \$45,003 .....	Up to \$27,586,839.

We estimate the following costs to do any necessary system fault isolation and replacements that would be required

based on the results of the operational test. We have no way of determining the

number of aircraft that might need these actions:

#### ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Perform system fault isolation and replace faulty component.	10 work-hours × \$85 per hour = \$850 .....	\$0	\$850

#### 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

This AD will not have federalism implications under Executive Order 13132. This AD will 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 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, 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):

**2016-04-06 The Boeing Company:**  
Amendment 39-18400; Docket No. FAA-2015-0681; Directorate Identifier 2014-NM-201-AD.

### (a) Effective Date

This AD is effective April 1, 2016.

### (b) Affected ADs

None.

### (c) Applicability

This AD applies to all The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER series airplanes, certificated in any category.

### (d) Subject

Air Transport Association (ATA) of America Code 2120, Air Distribution System.

### (e) Unsafe Condition

This AD was prompted by a determination that repetitive inspection is needed to inspect the components on airplanes equipped with a certain air distribution system configuration. We are issuing this AD to detect and correct latent failures of the equipment cooling system and low pressure environmental control system, which, in combination with a cargo fire event, could result in smoke in the flight deck and/or main cabin, and possible loss of aircraft control.

### (f) Compliance

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

### (g) Repetitive Operational Tests and Corrective Action

At the applicable times specified in paragraph (g)(1) or (g)(2) of this AD, do a test for correct operation of the smoke clearance mode of the equipment cooling system and low pressure environmental control system, and do all applicable corrective actions, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737-26A1137, dated May 22, 2014. Do all applicable corrective actions before further flight. Repeat the test thereafter at intervals not to exceed 9,000 flight hours.

(1) For airplanes other than those identified in paragraph (g)(2) of this AD: At the applicable times identified in paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin 737-26A1137, dated May 22, 2014, except as required by paragraph (i) of this AD.

(2) For airplanes having line numbers 4923, 4924, and 4926 and subsequent: Before the accumulation of 9,000 total flight hours.

### (h) Concurrent Requirements

For Group 1 airplanes identified in Boeing Alert Service Bulletin 737-26A1137, dated May 22, 2014: Before or concurrently with accomplishing the initial operational test required of paragraph (g) of this AD, install new relays and do wiring changes to the environmental control system, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 737-26-1122, Revision 1, dated August 13, 2009. When the actions required by this paragraph are done, the installation and changes specified in paragraph B. "Concurrent Requirements" of Boeing Special Attention Service Bulletin 737-26-1122, Revision 1, dated August 13, 2009, must also be done. However, operators should note that Boeing Alert Service

Bulletin 737-28A1206, dated January 11, 2006, is not required by this AD.

### (i) Exception to the Service Information

Where paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin 737-26A1137, dated May 22, 2014, specifies a compliance time "after the original issue date of this service bulletin," this AD requires compliance within the specified compliance time after the effective date of this AD.

### (j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), 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 manager of the ACO, send it to the attention of the person identified in paragraph (k) of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@faa.gov).

(2) 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.

(3) For service information that contains steps that are labeled as Required for Compliance (RC), the provisions of paragraphs (j)(3)(i) and (j)(3)(ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

### (k) Related Information

For more information about this AD, contact Stanley Chen, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM-150S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6585; fax: 425-917-6590; email: [stanley.chen@faa.gov](mailto:stanley.chen@faa.gov).

### (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 the AD specifies otherwise.

(i) Boeing Alert Service Bulletin 737-26A1137, dated May 22, 2014.

(ii) Boeing Special Attention Service Bulletin 737-26-1122, Revision 1, dated August 13, 2009.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P. O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>.

(4) You may view this service information at 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.

(5) 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 February 8, 2016.

**Michael Kaszycki,**

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

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Parts 1, 11, 16, and 111

[Docket No. FDA-2015-N-0797]

RIN 0910-AG64 and 0910-AG66

#### The Food and Drug Administration Food Safety Modernization Act: Prevention-Oriented Import System Regulations and Implementation; Public Meeting

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notification of public meeting.

**SUMMARY:** The Food and Drug Administration (FDA or we) is announcing a public meeting entitled “FDA Food Safety Modernization Act: Prevention-Oriented Import System Regulations and Implementation.” The public meeting will provide importers and other interested persons an opportunity to discuss import safety regulations and programs, including final rules for foreign supplier verification programs (FSVPs) for importers of food for humans and animals (the FSVP final rule) and accreditation of third-party certification bodies (the third-party certification final rule). Participants will also be briefed on the status of FDA’s Voluntary Qualified Importer Program (VQIP), which is still in development. Additionally, the public meeting will provide importers and other interested

persons an opportunity to discuss FDA’s comprehensive planning effort for the next phase of the FDA Food Safety Modernization Act implementation relating to import safety programs, which includes establishing the operational framework for these programs and plans for guidance documents, training, education, and technical assistance.

**DATES:** See section III, “How to Participate in the Public Meeting” in the **SUPPLEMENTARY INFORMATION** section of this document for dates and times of the public meeting, closing dates for advance registration, and requesting special accommodations due to disability.

**ADDRESSES:** See section III, “How to Participate in the Public Meeting” in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** For questions about registering for the meeting, or to register by phone: Courtney Treece, Planning Professionals Ltd., 1210 West McDermott St., Suite 111, Allen, TX 75013, 704-258-4983, FAX: 469-854-6992, email: [ctreece@planningprofessionals.com](mailto:ctreece@planningprofessionals.com).

For general questions about the meeting or for special accommodations due to a disability: Juanita Yates, Center for Food Safety and Applied Nutrition (HFS-009), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740, 240-402-1731, email: [Juanita.yates@fda.hhs.gov](mailto:Juanita.yates@fda.hhs.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The FDA Food Safety Modernization Act (FSMA) (Pub. L. 111-353), signed into law by President Obama on January 4, 2011, enables FDA to better protect public health by helping to ensure the safety and security of the food supply. FSMA amends the Federal Food, Drug, and Cosmetic Act (the FD&C Act) to establish the foundation of a modernized, prevention-based food safety system. Among other things, FSMA directs FDA to issue regulations requiring preventive controls for human food and animal food, setting standards for produce safety, and requiring importers to perform certain activities to help ensure that the food they bring into the United States is produced in a manner consistent with U.S. safety standards.

In the **Federal Register** of November 27, 2015, we published the FSVP final rule (80 FR 74225) and the third-party certification final rule (80 FR 74569).

The FSVP final rule requires importers of food to verify that their

foreign suppliers use processes and procedures that provide the same level of public health protection as the preventive controls and produce safety regulations, where applicable, and also to verify that the food they import is not adulterated and is not misbranded with respect to food allergen labeling.

The third-party certification final rule adopts regulations to provide for accreditation of third-party certification bodies to conduct food safety audits of foreign entities, including registered foreign food facilities, and to issue food and facility certifications under FSMA. Certification will be required to establish VQIP eligibility. To prevent potentially harmful food from reaching U.S. consumers, in specific circumstances FDA also may require a food offered for import to be accompanied by a certification.

On June 5, 2015, we published a notice of availability of a draft guidance for industry on VQIP for importers of human or animal food (80 FR 32136). The draft guidance describes and answers questions about VQIP. To ensure that we consider comments on the draft guidance before we complete a final version of the guidance, we invited electronic or written comments on the draft guidance by August 19, 2015.

The FSVP and third-party certification final rules and related fact sheets are available on FDA’s FSMA Web page located at <http://www.fda.gov/FSMA>.

The FSVP and third-party certification final rules are two of several final rules that will establish the foundation of, and central framework for, the modern food safety system envisioned by Congress in FSMA.

##### **II. Purpose and Format of the Public Meeting**

FDA is holding the public meeting on FSMA’s prevention-oriented import system to brief participants on the key components of the FSVP and third-party certification final rules; brief participants on the status of the VQIP; discuss the plans for guidance documents related to import safety, as well as training, education, and technical assistance; provide an update on the development of a risk-based industry oversight framework that are at the core of FSMA; and answer questions about these import programs.

The public meeting is an opportunity for FDA to share its current thinking on implementation plans for programs related to import safety. We encourage interested persons to provide feedback during the meeting on any ideas that we present at the public meeting related to the operational aspects of FSMA.