

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2014-0775; Directorate Identifier 2014-NM-046-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus 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 Airbus Model A300 B4-600, B4-600R, and F4-600R series airplanes, Model A300 C4-605R Variant F airplanes (collectively called Model A300-600 series airplanes), and Model A310 series airplanes. This proposed AD was prompted by reports of insufficient clearance for the electrical wiring bundles in the leading and trailing edges of the left and right wings. This proposed AD would require installation of new bracket assemblies to ensure adequate clearance between the wiring and the structure, and installation of protective split sleeves as mechanical protection to the electrical harnesses. We are proposing this AD to detect and correct insufficient clearance of electrical wiring bundles located in the leading and trailing edges of the left and right wings, which could lead to chafing damage and arcing, possibly resulting in an on-board fire.

**DATES:** We must receive comments on this proposed AD by January 5, 2015.

**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 proposed AD, contact Airbus SAS, Airworthiness Office—EAW, 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>. 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-2014-0775; 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:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone (425) 227-2125; fax (425) 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-2014-0775; Directorate Identifier 2014-NM-046-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 Community, has issued EASA Airworthiness Directive 2014-0034, dated February 5, 2014 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

Following publication of FAA SFAR 88 (Special Federal Aviation Regulation 88) ([http://rgl.faa.gov/Regulatory\\_and\\_Guidance\\_Library%5CrgFAR.nsf/0/EEFB3F94451DC06286256C93004F5E07?OpenDocument](http://rgl.faa.gov/Regulatory_and_Guidance_Library%5CrgFAR.nsf/0/EEFB3F94451DC06286256C93004F5E07?OpenDocument)), EASA issued AD 2006-0076 (<http://ad.easa.europa.eu/ad/2006-0076>) requiring inspection and corrective action to improve the explosion risk protection system for the left hand (LH) and right hand (RH) wings on A300, A300-600, A300-600ST and A310 aeroplanes.

For A300-600, A300-600ST and A310 aeroplanes, the required detailed visual inspections of electrical bundles located in the leading and trailing edges of the RH and LH wings and a review of the wing electrical installation on the final assembly line have shown that the wing electrical installation does not comply with the minimum distance inspection criteria to the surrounding structure in a few wing locations.

This condition, if not detected and corrected, could lead to damage on the electrical harnesses and on the surrounding structure.

To address this unsafe condition, Airbus developed an improvement of the wing electrical installation to prevent possible chafing and subsequent damage to the electrical harnesses and surrounding structure.

For the reasons described above, this [EASA] AD requires installation of new bracket assemblies to ensure the clearance between the wiring and the structure, and installation of protective split sleeves as mechanical protection to the electrical harnesses.

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–2014–0775.

### Relevant Service Information

Airbus has issued Service Bulletin A300–24–6103, Revision 02, including Appendix 01, dated February 7, 2013; and Service Bulletin A310–24–2105, Revision 01, including Appendix 01, dated December 11, 2013. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

### 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 199 airplanes of U.S. registry.

We also estimate that it would take about 37 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost up to \$18,000 per product. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be \$4,207,855, or \$21,145 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. Amend § 39.13 by adding the following new airworthiness directive (AD):

**Airbus:** Docket No. FAA–2014–0775; Directorate Identifier 2014–NM–046–AD.

#### (a) Comments Due Date

We must receive comments by January 5, 2015.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to the airplanes identified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category.

(1) All Airbus Model A300 B4–601, B4–603, B4–620, and B4–622 airplanes; Model A300 B4–605R and B4–622R airplanes; Model A300 F4–605R and F4–622R airplanes; and Model A300 C4–605R Variant F airplanes.

(2) All Airbus Model A310–203, –204, –221, –222, –304, –322, –324, and –325 airplanes.

### (d) Subject

Air Transport Association (ATA) of America Code 24, Electrical Power.

### (e) Reason

This AD was prompted by reports of insufficient clearance for the electrical wiring bundles in the leading and trailing edges of the left and right wings. We are issuing this AD to detect and correct insufficient clearance of electrical wiring bundles located in the leading and trailing edges of the left and right wings, which could lead to chafing damage and arcing, possibly resulting in an on-board fire.

### (f) Compliance

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

### (g) Modification

Within 30 months after the effective date of this AD: Modify the electrical routing installation at the right-hand and left-hand wing, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A300–24–6103, Revision 2, including Appendix 01, February 7, 2013; or Airbus Service Bulletin A310–24–2105, Revision 1, including Appendix 01, dated December 11, 2013.

### (h) Credit for Previous Actions

This paragraph provides credit for the actions required by paragraph (g) of this AD for Model A310 series airplanes, if those actions were performed before the effective date of this AD using Airbus Service Bulletin A310–24–2105, dated March 20, 2013.

### (i) 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: Dan Rodina, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone (425) 227–2125; fax (425) 227–1149. Information may be emailed to: 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) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency Airworthiness Directive 2014–0034, dated February 05, 2014, 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 it in Docket No. FAA–2014–0775.

(2) For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAW, 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>. 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 November 13, 2014.

**Jeffrey E. Duven,**

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

[FR Doc. 2014–27631 Filed 11–20–14; 8:45 am]

BILLING CODE 4910–13–P

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 1

#### RIN 2900–AO39

#### Animals on VA Property

**AGENCY:** Department of Veterans Affairs.  
**ACTION:** Proposed rule.

**SUMMARY:** The Department of Veterans Affairs (VA) proposes to amend its regulation regarding the presence of animals on VA property. Current VA regulation authorizes the presence of seeing-eye dogs on VA property and other animals as authorized at the discretion of a VA facility head or designee. However, applicable Federal law authorizes the presence of guide dogs and other service animals when these animals accompany individuals with disabilities seeking admittance to buildings or property owned or operated by the Federal Government. This proposed rule would expand the current VA regulation to be consistent with applicable Federal law, and would clarify the authority of a VA facility head or designee to allow nonservice animals to be present on VA property.

**DATES:** Comments must be received by VA on or before January 20, 2015.

**ADDRESSES:** Written comments may be submitted through <http://www.Regulations.gov>; by mail or hand delivery to the Director, Regulation Policy and Management (02REG), Department of Veterans Affairs, 810 Vermont Ave. NW., Room 1068, Washington, DC 20420; or by fax to (202) 273–9026. Comments should indicate that they are submitted in response to “RIN 2900–AO39–Animals on VA Property.” Copies of comments received will be available for public inspection in the Office of Regulation Policy and Management, Room 1068, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays). Please call (202) 461–4902 for an appointment. (This is not a toll-free number.) In addition, during the comment period, comments may be viewed online through the Federal Docket Management System at <http://www.Regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Joyce Edmondson, RN, JD, Patient Care Services (10P4), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (410) 637–4755. (This is not a toll free number).

**SUPPLEMENTARY INFORMATION:** Pursuant to 38 U.S.C. 901, VA may prescribe rules to provide for the maintenance of law and order and the protection of persons and property on VA property. VA implements this authority in regulations at 38 CFR 1.218 pertaining to security and law enforcement and § 1.220. This proposed rule would amend § 1.218(a)(11) to require VA facilities to permit service animals on VA property consistent with 40 U.S.C. 3103 (section 3103) and Sec. 109, Pub. L. 112–154, 126 Stat. 1165 (2012) (section 109). Section 3103(a) provides that guide dogs or other service animals accompanying individuals with disabilities and especially trained for that purpose shall be admitted to any building or other property owned or controlled by the Federal Government on the same terms and conditions, and subject to the same regulations, as generally govern the admission of the public to the property. Section 109 provides that VA specifically may not prohibit the use of a covered service dog in any VA facility, on any VA property, or in any facility or on any property that receives funding from VA, and further defines a covered service dog as a service dog that has been trained by an entity that is accredited by an appropriate accrediting body that evaluates and accredits organizations which train guide or service dogs. Current 38 CFR 1.218(a)(11), however,

reads that dogs and other animals, except seeing-eye dogs, shall not be brought upon property except as authorized by the head of the facility or designee. Our current regulation can be interpreted to allow the head of a VA facility or designee to bar access to all animals other than seeing-eye dogs, which is inconsistent with both section 3103(a) and section 109. We would therefore revise our regulation to be consistent with the requirements in section 3103(a) and section 109. We also note that these revisions would be consistent with the remainder of § 1.218 and § 1.220, as well as consistent with VA regulations that ensure accessibility for programs or activities conducted by VA, 38 CFR 15.101 et al.

The proposed revisions to 38 CFR 1.218(a)(11) would establish nationally applicable criteria regarding the presence of service animals on VA property, to ensure that our regulations cannot be interpreted in a manner that conflicts with section 3103(a), section 109, §§ 1.218 and 1.220, or § 15.101 et al. We note that section 3103(b) specifically authorizes the Secretary of VA to prescribe regulations that are necessary in the public interest to carry out section 3103(a) as it applies to any building or other property subject to VA's jurisdiction, and VA is otherwise authorized to prescribe rules to protect persons and property on VA property under 38 U.S.C. 901.

Consistent with section 3103(a), proposed § 1.218(a)(11)(i) would provide that service animals, as defined in proposed paragraph (a)(11)(viii), must be permitted to be present on VA property when those animals accompany individuals with disabilities and are trained for that purpose. Section 3103(a) refers to animals that are “trained” as well as “educated” for the purpose of accompanying individuals with disabilities, but we believe our regulation should be revised to only include reference to “trained” animals. We are not aware of any intent on the part of Congress in section 3103(a) to distinguish “trained” from “educated” in the context of the skills a service animal learns for the purposes of assisting individuals with disabilities. Additionally, we believe the concept of training an animal versus educating an animal is more relatable for a majority of the public. We explain later in this proposed rulemaking how the definition of “service animal” in proposed paragraph (a)(11)(viii) would be consistent with the definition of “service animal” in regulations that implement the Americans with Disabilities Act (ADA), as well as consistent with the meaning of “covered