

outlet fitting containing red anodized threads. These MFCV do not provide adequate electrical bonding between the valve and the adjacent fitting.

In the absence of proper electrical bonding within the motive flow system, the aeroplane fuel tank could be exposed to ignition sources in the case of a lightning strike.

\* \* \* \* \*

The unsafe condition is the potential for ignition sources inside the fuel tanks, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

#### Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Actions

(g) Within 6,000 flight hours after the effective date of this AD, do a general visual inspection for red anodized threads of the outlet fitting of the MFCV having P/N 2960018-101 installed in the left and right wing fuel tanks, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 84-28-08, dated March 11, 2010. If the MFCV has a chemical film coating (gold color) outlet fitting, no further action is required by AD, except as required by paragraph (i) of this AD.

(h) If during the inspection required by paragraph (g) of this AD, a MFCV having a red anodized check valve outlet fitting is found: Before further flight, replace the MFCV with a MFCV that has a chemical film coating (gold color) check valve outlet fitting, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 84-28-08, dated March 11, 2010.

(i) As of the effective date of this AD, no person may install a replacement MFCV having P/N 2960018-101, with a red anodized check valve outlet fitting, on any airplane.

#### FAA AD Differences

**Note 1:** This AD differs from the MCAI and/or service information as follows: No differences.

#### Other FAA AD Provisions

(j) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office (ACO), ANE-170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone 516-228-7300; fax 516-794-5531. Before using any approved AMOC on any airplane to which the AMOC applies, 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) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

#### Related Information

(k) Refer to TCCA Airworthiness Directive CF-2010-21, dated July 20, 2010; and Bombardier Service Bulletin 84-28-08, dated March 11, 2010; for related information.

Issued in Renton, Washington on February 14, 2011.

**Kalene C. Yanamura,**

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

[FR Doc. 2011-4011 Filed 2-22-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2011-0139; Directorate Identifier 2010-CE-057-AD]

RIN 2120-AA64

#### **Airworthiness Directives; B/E Aerospace, Continuous Flow Passenger Oxygen Mask Assembly, Part Numbers 174006-(), 174080-(), 174085-(), 174095-(), 174097-(), and 174098-()**

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above, except for those that are currently affected by similar action through any of five ADs applicable to Boeing products. This proposed AD would require an inspection/records check to determine the manufacturer and part number of the oxygen mask assemblies installed, an inspection to determine the manufacturing date and modification status if certain oxygen mask assemblies are installed, and corrective action for certain oxygen mask assemblies. This proposed AD was prompted by a report that several oxygen mask assemblies with broken in-line flow indicators were found following a mask deployment. We are proposing this AD to prevent the in-line flow indicators of the oxygen mask assembly from fracturing and separating, which could inhibit oxygen flow to the masks. This condition could consequently result in occupants

developing hypoxia following a depressurization event.

**DATES:** We must receive comments on this proposed AD by April 11, 2011.

**ADDRESSES:** You may send comments 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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact B/E Aerospace, 10800 Pflumm Road, Lenexa, Kansas 66215; telephone: 913-888-9800; fax: 913-469-8419; Internet: <http://www.beaerospace.com>. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call 816-329-4148.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; 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 Office (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** David Fairback, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: (316) 946-4154; fax: (316) 946-4107; e-mail: [david.fairback@faa.gov](mailto:david.fairback@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2011-0139; Directorate Identifier 2010-CE-057-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 because of 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

We received a report that several oxygen mask assemblies with broken in-line flow indicators were found following a mask deployment. That report prompted us to issue the following ADs:

- AD 2007–26–06, amendment 39–15308 (72 FR 71210, December 17, 2007), for certain Boeing Model 747–200B, 747–300, and 747–400 series airplanes identified in Boeing Service Bulletin 747–35–2119, dated November 30, 2006;
- AD 2008–08–08, amendment 39–15460 (73 FR 19982, April 14, 2008), for certain Boeing Model 757–200, 757–200CB, 757–200PF, and 757–300 series airplanes identified in Boeing Special Attention Service Bulletin 757–35–0028, dated April 9, 2007;
- AD 2008–12–05, amendment 39–15548 (73 FR 32996, June 11, 2008), for certain Boeing Model 777–200, 777–200LR, 777–300, and 777–300ER series airplanes identified in Boeing Special Attention Service Bulletin 777–35–0019, dated March 9, 2006;
- AD 2008–13–21, amendment 39–15584 (73 FR 37781, July 2, 2008), for certain Boeing Model 767–200, 767–300, and 767–400ER series airplanes identified in Boeing Special Attention Service Bulletin 767–35–0054, dated July 6, 2006; and

- AD 2010–14–06, amendment 39–16351 (75 FR 38014, July 1, 2010), for certain Boeing Model 737–200, 737–300, 737–400, and 737–500 series airplanes identified in Boeing Special Attention Service Bulletin 737–35–1099, Revision 1, dated April 23, 2009.

Those ADs require an inspection to determine the manufacturer and manufacture date of certain oxygen mask assemblies and corrective action if necessary. We issued those ADs to prevent the in-line flow indicators of the oxygen mask assembly from fracturing and separating, which could inhibit oxygen flow to the masks. This condition could consequently result in occupants developing hypoxia following a depressurization event.

### Actions Since Existing ADs Were Issued

Since we issued the ADs listed in the previous section, we determined that the oxygen mask assemblies on the affected aircraft have the same flow indicators as those installed on certain oxygen mask assemblies manufactured under B/E Aerospace Technical Standard Order Authorization (TSOA) for Technical Standard Order (TSO) TSO–C64 and TSO–C64A. Articles manufactured under a TSOA may be installed on various aircraft by a supplemental type certificate or field approval. Therefore, we have determined that aircraft other than those identified in the ADs listed in the previous section may also be subject to the identified unsafe condition.

This condition, if not corrected, could result in the in-line flow indicators of the oxygen mask assembly fracturing and separating, which could inhibit oxygen flow to the masks and consequently result in occupants developing hypoxia following a depressurization event.

### Relevant Service Information

We reviewed B/E Aerospace Service Bulletin 174080–35–04, Rev 000, dated September 6, 2010. The service information describes procedures for identifying an affected oxygen mask assembly and modifying the oxygen mask assembly by replacing the in-line flow indicator with an improved in-line flow indicator.

### FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

### Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in the service information described previously.

### Differences Between the Proposed AD and the Service Information

B/E Aerospace Service Bulletin 174080–35–04, Rev 000, dated September 6, 2010, lists all affected oxygen mask assembly part numbers; including part numbers listed in B/E Aerospace Service Bulletin 174080–35–01, February 6, 2006 (original issue); Revision 1, dated May 1, 2006; and Revision 2, dated May 28, 2008. The oxygen mask assemblies affected by AD 2007–26–06, AD 2008–08–08, AD 2008–12–05, AD 2008–13–21, or AD 2010–14–06 are not affected by this proposed AD.

### Costs of Compliance

We estimate that this proposed AD affects 400,000 oxygen mask assemblies.

We estimate the following costs to comply with this proposed AD:

### ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace the in-line flow indicator per mask.	0.5 work-hour × \$85 per hour = \$42.50 ...	\$6.00	\$48.50	\$19,400,000

### 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):

**B/E Aerospace:** Docket No. FAA-2011-0139; Directorate Identifier 2010-CE-057-AD.

#### Comments Due Date

(a) We must receive comments by April 11, 2011.

#### Affected ADs

(b) None. This AD does not revise or supersede any existing ADs. The following ADs address the unsafe condition described in paragraph (e) of this AD for certain installations on certain Boeing airplanes:

(1) AD 2007-26-06, amendment 39-15308 (72 FR 71210, December 17, 2007), for certain Boeing Model 747-200B, 747-300, and 747-400 series airplanes identified in Boeing Service Bulletin 747-35-2119, dated November 30, 2006;

(2) AD 2008-08-08, amendment 39-15460 (73 FR 19982, April 14, 2008), for certain Boeing Model 757-200, 757-200CB, 757-200PF, and 757-300 series airplanes identified in Boeing Special Attention Service Bulletin 757-35-0028, dated April 9, 2007;

(3) AD 2008-12-05, amendment 39-15548 (73 FR 32996, June 11, 2008), for certain Boeing Model 777-200, 777-200LR, 777-300, and 777-300ER series airplanes identified in Boeing Special Attention Service Bulletin 777-35-0019, dated March 9, 2006;

(4) AD 2008-13-21, amendment 39-15584 (73 FR 37781, July 2, 2008), for certain Boeing Model 767-200, 767-300, and 767-400ER series airplanes identified in Boeing

Special Attention Service Bulletin 767-35-0054, dated July 6, 2006; and

(5) AD 2010-14-06, amendment 39-16351 (75 FR 38014, July 1, 2010), for certain The Boeing Company Model 737-200, 737-300, 737-400, and 737-500 series airplanes identified in Boeing Special Attention Service Bulletin 737-35-1099, Revision 1, dated April 23, 2009.

#### Applicability

(c) This AD applies to B/E Aerospace, Continuous Flow Passenger Oxygen Mask Assembly; Part Numbers 174006-(), 174080-(), 174085-(), 174095-(), 174097-(), and 174098-() as listed in B/E Aerospace Service Bulletin 174080-35-04, Rev 000, dated September 6, 2010, that are installed on any aircraft except for those Boeing airplanes specified in the ADs referenced in paragraphs (b)(1), (b)(2), (b)(3), (b)(4), and (b)(5) of this AD.

**Note:** The service bulletin lists the part numbers with a suffix of "XX." The TSO Index lists the part numbers with the suffix of "()." For the purposes of this AD, we have used "()."

#### Subject

(d) Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 35: Oxygen.

#### Unsafe Condition

(e) This AD was prompted by a report that several oxygen mask assemblies with broken in-line flow indicators were found following a mask deployment. We are issuing this AD to prevent the in-line flow indicators of the oxygen mask assembly from fracturing and separating, which could inhibit oxygen flow to the masks. This condition could consequently result in occupants developing hypoxia following a depressurization event.

#### Compliance

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

#### Records Check/Inspection

(g) Within 36 months after the effective date of this AD or within 6,500 hours time-in-service after the effective date of this AD, whichever occurs first, do the following:

(1) Do a records check to determine if any oxygen mask assembly part number listed in B/E Aerospace Service Bulletin 174080-35-04, Rev 000, dated September 6, 2010, is installed. If you cannot positively determine the manufacturer and part number of any oxygen mask assembly installed, do a general visual inspection to determine if any oxygen mask assembly part number listed in B/E Aerospace Service Bulletin 174080-35-04, Rev 000, dated September 6, 2010, is installed. If you can positively determine that no oxygen mask assembly part number listed in B/E Aerospace Service Bulletin 174080-35-04, Rev 000, dated September 6, 2010, is installed, no further action is required by this paragraph.

(2) If, as a result of the records check/inspection required in paragraph (g)(1) of this AD, you determine that an oxygen mask assembly part number listed in B/E

Aerospace Service Bulletin 174080-35-04, Rev 000, dated September 6, 2010, is installed, inspect the oxygen mask assembly to determine if the in-line flow indicator must be replaced following paragraph II.A. of B/E Aerospace Service Bulletin 174080-35-04, Rev 000, dated September 6, 2010. If you can positively determine that the in-line flow indicator does not require replacement, no further action is required by this paragraph.

#### Modification/Replacement

(h) Before further flight after the inspection in paragraph (g)(2) of this AD where you determined the in-line flow indicator must be replaced, modify the oxygen mask assembly by replacing the in-line flow indicator following B/E Aerospace Service Bulletin 174080-35-04, Rev 000, dated September 6, 2010. As an alternative to modifying the oxygen mask assembly, you may replace the oxygen mask assembly with an airworthy oxygen mask assembly FAA-approved for installation on the aircraft.

#### Parts Installation

(i) As of the effective date of this AD, no person may install a B/E Aerospace oxygen mask assembly having a part number listed in B/E Aerospace Service Bulletin 174080-35-04, Rev 000, dated September 6, 2010, with a manufacturing date on or after January 1, 2002, and before March 1, 2006, on any aircraft, unless it has been modified in accordance with the requirements of paragraph (h) of this AD.

#### Alternative Methods of Compliance (AMOCs)

(j)(1) The Manager, Wichita 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 the Related Information section of this AD.

(2) Before using any approved AMOC, notify your Principal Maintenance Inspector or Principal Avionics Inspector, as appropriate, or lacking a principal inspector, your local Flight Standards District Office.

#### Related Information

(k) For more information about this AD, contact David Fairback, Aerospace Engineer, Wichita ACO, FAA, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: (316) 946-4154; fax: (316) 946-4107; e-mail: [david.fairback@faa.gov](mailto:david.fairback@faa.gov).

(l) For service information identified in this AD, contact B/E Aerospace, 10800 Pflumm Road, Lenexa, Kansas 66215; telephone: 913-888-9800; fax: 913-469-8419; Internet: <http://www.beaerospace.com>. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call 816-329-4148.

Issued in Kansas City, Missouri, on February 15, 2011.

**Earl Lawrence,**

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

[FR Doc. 2011-4046 Filed 2-22-11; 8:45 am]

**BILLING CODE 4910-13-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 82

[EPA-HQ-OAR-2003-0167; FRL-9270-2]

#### Protection of Stratospheric Ozone: Amendments to the Section 608 Leak Repair Requirements

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; reopening of public comment period.

**SUMMARY:** EPA issued a proposed rule in the December 15, 2010, **Federal Register** proposing changes to the leak repair regulations promulgated under Section 608 of the Clean Air Act Amendments of 1990. In response to stakeholder requests, this action reopens the public comment period through March 25, 2011.

**DATES:** Comments, identified by docket ID number EPA-HQ-OAR-2003-0167, must be received on or before March 25, 2011.

**ADDRESSES:** Submit your comments to docket EPA-HQ-OAR-2003-0167 by one of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

*E-mail:* [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov).

*Mail:* Environmental Protection Agency, EPA Docket Center (EPA/DC), Mailcode 6102T, Attention Docket ID No. EPA-HQ-OAR-2003-0167, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

*Hand Delivery:* Public Reading Room, Room 3334, EPA West Building, 1301 Constitution Avenue, NW., Washington, DC. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-HQ-OAR-2003-0167. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business

Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov> your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters and any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available: e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy.

Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the Air Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. This Docket Facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742.

**FOR FURTHER INFORMATION CONTACT:** Ross Brennan, Stratospheric Protection Division, Office of Atmospheric Programs, Environmental Protection Agency, Mail Code 6205J, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number (202) 343-9226; fax number (202) 343-2338; e-mail address [brennan.ross@epa.gov](mailto:brennan.ross@epa.gov). More information about EPA's leak repair requirements under Section 608, including a copy of the proposed rule, is available at <http://epa.gov/ozone/title6/608/leak.html>.

## SUPPLEMENTARY INFORMATION:

### Background

The statutory and regulatory background is described in detail in the December 15, 2010, notice of proposed rulemaking (75 FR 78558). EPA has proposed to lower the leak repair trigger rates for comfort cooling, commercial refrigeration, and industrial process refrigeration and air-conditioning equipment with refrigerant charges greater than 50 pounds of ozone-depleting substances. This action proposes to streamline existing required practices and associated reporting and recordkeeping requirements by establishing similar leak repair requirements for owners or operators of comfort cooling, commercial refrigeration, and industrial process refrigeration appliances. This action also proposes to reduce the use and emissions of class I and class II controlled substances (such as but not limited to CFC-11, CFC-12, HCFC-123, and HCFC-22) by requiring verification and documentation of all repairs, retrofit or retirement of appliances that cannot be sufficiently repaired; replacement of appliance components that have a history of failures; and recordkeeping of the determination of the full charge and the fate of recovered refrigerant.

### This Action

EPA has received a request to provide additional time for public comment on the proposed rule. We believe that the request is reasonable and that a further 30 days for additional public comment is appropriate, since it will provide affected entities with necessary time to complete analysis and comment on the proposal. This action therefore reopens the comment period for 30 days. We intend to issue a final rule as expeditiously as possible following consideration of the comments and information we receive.

Dated: February 16, 2011.

**Gina McCarthy,**

*Assistant Administrator, Office of Air and Radiation.*

[FR Doc. 2011-3992 Filed 2-22-11; 8:45 am]

**BILLING CODE 6560-50-P**