

Reporting and recordkeeping requirements, Retirement.

Elaine Kaplan,

Acting Director, U.S. Office of Personnel Management.

Accordingly, OPM is proposing to amend title 5, Code of Federal Regulations as follows:

PART 890—FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

■ 1. The authority citation for part 890 is revised to read as follows:

Authority: 5 U.S.C. 8913; Sec. 890.301 also issued under sec. 311 of Pub. L. 111-03, 123 Stat. 64; Sec. 890.111 also issued under section 1622(b) of Pub. L. 104-106, 110 Stat. 521; Sec. 890.112 also issued under section 1 of Pub. L. 110-279, 122 Stat. 2604; 5 U.S.C. 8913; Sec. 890.803 also issued under 50 U.S.C. 403p, 22 U.S.C. 4069c and 4069c-1; subpart L also issued under sec. 599C of Pub. L. 101-513, 104 Stat. 2064, as amended; Sec. 890.102 also issued under sections 11202(f), 11232(e), 11246 (b) and (c) of Pub. L. 105-33, 111 Stat. 251; and section 721 of Pub. L. 105-261, 112 Stat. 2061; Public Law 111-148, as amended by Public Law 111-152.

■ 2. Amend § 890.101 adding definitions for “congressional staff member” and “Member of Congress” to paragraph (a) to read as follows:

§ 890.101 Definitions; time computations.

(a) * * * *Congressional staff member* means an individual who is a full-time or part-time employee employed by the official office of a Member of Congress, whether in Washington, DC or outside of Washington, DC.

* * * * * *Member of Congress* means a member of the Senate or of the House of Representatives, a Delegate to the House of Representatives, and the Resident Commissioner of Puerto Rico.

* * * * * ■ 3. Amend § 890.102 by adding paragraphs (c)(9) and (10) and revising paragraph (e) to read as follows:

§ 890.102 Coverage.

* * * * * (c) * * * (9) The following employees are not eligible to purchase a health benefit plan for which OPM contracts or which OPM approves under this subsection, but may purchase health benefit plans, as defined in 5 U.S.C. 8901(6), that are offered by an Exchange, pursuant to § 1312(d)(3)(D) of the Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act, Public Law 111-152 (the Affordable Care Act or the Act):

(i) A Member of Congress.
(ii) A congressional staff member, if the individual works for a Member of Congress and is determined by the employing office of the Member of Congress to meet the definition of congressional staff member in § 890.101 of this part effective January 1, 2014, or in any subsequent calendar year. Designation as a congressional staff member shall be an annual designation made prior to October of each year for the following year. The designation shall be made for the duration of the year during which the staff member works for that Member of Congress beginning with the January 1st following the designation and continuing to December 31st of that year.

* * * * * (e) With the exception of those employees or groups of employees listed in paragraph (e)(1) of this section, the Office of Personnel Management makes the final determination of the applicability of this section to specific employees or groups of employees.

(1) Employees identified in paragraph (c)(9)(i) and (ii) of this section.

(2) [Reserved]

* * * * * ■ Amend § 890.201 by adding paragraph (d) to read as follows:

§ 890.201 Minimum standards for health benefits.

* * * * * (d) Nothing in this part shall limit or prevent a health insurance plan purchased through an Exchange, pursuant to section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act, Public Law 111-152 (the Affordable Care Act or the Act), by an employee otherwise covered by 5 U.S.C. 8901(1)(B) and (C) from being considered a “health benefit plan under this chapter” for purposes of 5 U.S.C. 8905(b) and 5 U.S.C. 8906.

■ 4. Amend § 890.303 by revising paragraph (b) to read as follows:

§ 890.303 Continuation of enrollment.

* * * * * (b) *Change of enrolled employees to certain excluded positions.* Employees and annuitants enrolled under this part who move, without a break in service or after a separation of 3 days or less, to an employment in which they are excluded by § 890.102(c), continue to be enrolled unless excluded by § 890.102(c)(4), (5), (6), (7), or (9).

* * * * * ■ 5. Amend § 890.304 by revising paragraph (a)(1)(iii) to read as follows.

§ 890.304 Termination of enrollment.

(a) * * * (1) * * * (iii) The last day of the pay period in which his employment status or the eligibility of his position changes so that he is excluded from enrollment.

* * * * * ■ 6. Amend § 890.501 by adding paragraph (h) to read as follows:

§ 890.501 Government contributions.

* * * * * (h)(1) The Government contribution for an employee who enrolls in a health benefit plan offered through an Exchange, pursuant to section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act, Public Law 111-152 (the Affordable Care Act or the Act), or an annuitant whose enrollment in a health benefit plan offered through such an Exchange continues, pursuant to 5 U.S.C. 8905(b), shall be calculated in the same manner as for other employees and annuitants.

(2) Government contributions and employee withholdings for employees who enroll in a health benefit plan offered through an Exchange, pursuant to section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act, Public Law 111-152 (the Affordable Care Act or the Act), or annuitants whose enrollment in a health benefit plan offered through such an Exchange continues, pursuant to 5 U.S.C. 8905(b), shall be accounted for pursuant to 5 U.S.C. 8909 and such monies shall only be available for payment of premiums, and costs in accordance with 5 U.S.C. 8909(a)(2).

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-0811; Directorate Identifier 2008-NE-41-AD]

RIN 2120-AA64

Airworthiness Directives; Rolls-Royce Corporation Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede an existing airworthiness directive (AD)

that applies to certain Rolls-Royce Corporation (RRC) AE 3007A series turbofan engines. The existing AD currently requires removing certain high-pressure turbine (HPT) stage 2 wheels, or performing inspections on them, and reduces their approved life limits. This proposed AD would clarify the AE 3007A turbofan engine model applicability, would further reduce the approved life limits of affected HPT stage 2 wheels, and would eliminate the inspections required by the existing AD. We are proposing this AD to prevent uncontained failure of the HPT stage 2 wheel, damage to the engine, and damage to the airplane.

DATES: We must receive comments on this proposed AD by October 7, 2013.

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:* 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 Rolls-Royce Corporation, 450 South Meridian Street, Mail Code NB-01-06, Indianapolis, IN 46225, phone: 317-230-1667; email: CMSEindyOSD@rolls-royce.com; Internet: www.rolls-royce.com. You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

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: Kyri Zaroyiannis, Aerospace Engineer, Chicago Aircraft Certification Office,

Small Airplane Directorate, FAA, 2300 E. Devon Ave., Des Plaines, IL 60018; phone: 847-294-7836; fax: 847-294-7834; email: kyri.zaroyiannis@faa.gov.

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-2009-0811; Directorate Identifier 2008-NE-41-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

On September 1, 2010, we issued AD 2010-19-01, Amendment 39-16429 (75 FR 57660, September 22, 2010), for RRC AE 3007A series turbofan engines with an HPT stage 2 wheel, part number (P/N) 23069438, 23069592, 23074462, 23074644, 23075345, or 23084520, installed. AD 2010-19-01 requires removing certain HPT stage 2 wheels, or performing repetitive eddy current inspections (ECIs) or surface wave ultrasonic test (SWUT) inspections on them for cracks. AD 2010-19-01 also reduces the approved life limits of certain HPT stage 2 wheels. AD 2010-19-01 resulted from reports of cracked HPT stage 2 wheels. We issued AD 2010-19-01 to prevent uncontained failure of the HPT stage 2 wheel, damage to the engine, and damage to the airplane.

Actions Since Existing AD Was Issued

Since we issued AD 2010-19-01 (75 FR 57660, September 22, 2010), RRC did additional analysis and concluded that lower life limits for the affected HPT stage 2 wheels are necessary. RRC based their results on inspection data collected under AD 2010-19-01. In addition, we determined that it is appropriate to establish the new lower life limit to remove the parts from service, and to eliminate the inspection requirements that were needed to provide additional data in support of the analysis for the reduced life limits. We also changed the applicability from

RRC AE 3007A series turbofan engines to AE 3007A, A1, A1/1, A1/2, A1/3, A1P, A1E, and A3 turbofan engines, for added clarity. The AE 3007A2 turbofan engine is not included in the applicability because affected HPT stage 2 wheels are not installed on that engine.

Relevant Service Information

We reviewed RRC Alert Service Bulletin (ASB) No. AE 3007A-A-72-414, Revision 1, dated December 5, 2012. The ASB lists the lower approved life limits of the affected HPT stage 2 wheels.

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 RRC AE 3007A, A1, A1/1, A1/2, A1/3, A1P, A1E, and A3 turbofan engines with affected HPT stage 2 wheels, installed.

Proposed AD Requirements

This proposed AD would clarify the AE 3007A turbofan engine model applicability from stating AE 3007A series turbofan engines, to stating AE 3007A, A1, A1/1, A1/2, A1/3, A1P, A1E, and A3 turbofan engines. This proposed AD would also further reduce the approved life limits of affected HPT stage 2 wheels, and would eliminate the initial and repetitive ECIs and SWUT inspections on HPT stage 2 wheels for cracks as required by the existing AD 2010-19-01 (75 FR 57660, September 22, 2010).

Costs of Compliance

We estimate that this proposed AD would affect 18 engines installed on airplanes of U.S. registry. We also estimate that a replacement HPT stage 2 wheel would cost about \$145,524, and that it would be replaced during engine shop visit at no additional labor cost. Based on these figures, we estimate the total cost of the AD to U.S. operators to be \$2,619,432.

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 have 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 that the 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 to the extent that it justifies making a regulatory distinction, 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 removing airworthiness directive (AD) 2010–19–01, Amendment 39–16429 (75 FR 57660, September 22, 2010), and adding the following new AD:

Roll-Royce Corporation (Formerly Allison Engine Company): Docket No. FAA–2009–0811; Directorate Identifier 2008–NE–41–AD.

(a) Comments Due Date

The FAA must receive comments on this AD action by October 7, 2013.

(b) Affected ADs

This AD supersedes AD 2010–19–01, Amendment 39–16429 (75 FR 57660, September 22, 2010).

(c) Applicability

This AD applies to the following Rolls-Royce Corporation (RRC) AE 3007A, A1, A1/1, A1/2, A1/3, A1P, A1E, and A3 turbofan engines:

(1) With an installed high-pressure turbine (HPT) stage 2 wheel, part number (P/N) 23084520, or

(2) With an installed HPT stage 2 wheel, P/N 23069438, 23069592, 23074462, 23074644, or 23075345, except for the HPT stage 2 wheel serial numbers listed in Table 2 through Table 5 of RRC Alert Service Bulletin (ASB) No. AE 3007A–A–72–414, Revision 1, dated December 5, 2012. Those HPT stage 2 wheels maintain their existing approved life limits.

(d) Unsafe Condition

This AD was prompted by stress and lifing analysis resulting in lower approved life limits for certain HPT stage 2 wheels. We are issuing this AD to prevent uncontained failure of the HPT stage 2 wheel, damage to the engine, and damage to the airplane.

(e) Compliance

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

(1) For HPT stage 2 wheels, P/N 23069438 and P/N 23069592, do the following:

(i) For HPT stage 2 wheels that have 9,500 cycles since new (CSN) or more on the effective date of this AD, remove the HPT stage 2 wheel from service within 15 cycles-in-service (CIS) after the effective date of this AD.

(ii) After the effective date of this AD, do not approve for return to service any engine with an HPT stage 2 wheel, P/N 23069438 or P/N 23069592, that exceeds the new life limit of 9,500 CSN.

(2) For HPT stage 2 wheels, P/N 23074462, do the following:

(i) For AE 3007A1E turbofan engines with HPT stage 2 wheels installed that have 7,500 CSN or more on the effective date of this AD, and for the AE 3007A, A1, A1/1, A1/2, A1/3, A1P, and A3 turbofan engines with HPT stage 2 wheels installed that have 9,500 CSN or more on the effective date of this AD, remove the wheel from service within 15 CIS after the effective date of this AD.

(ii) Thereafter:

(A) Do not approve for return to service any AE 3007A1E turbofan engine with an HPT stage 2 wheel, P/N 23074462, installed, that exceeds the new life limit of 7,500 CSN; and

(B) Do not approve for return to service any AE 3007A, A1, A1/1, A1/2, A1/3, A1P, and A3 turbofan engines with an HPT stage 2 wheel, P/N 23074462, installed, that exceeds the new life limit of 9,500 CSN.

(C) Throughout the life of the HPT stage 2 wheel, always use the lowest life limit

applicable to any engine model in which the part was used in service. If life usage records are not sufficient to identify all engine models in which the part has been flown, the lowest life applicable to any engine model for which the part is eligible must be used.

(3) For HPT stage 2 wheels, P/N 23074644 and P/N 23075345, do the following:

(i) For HPT stage 2 wheels that have 9,500 CSN or more on the effective date of this AD, remove the HPT stage 2 wheel from service within 15 CIS after the effective date of this AD.

(ii) Thereafter, do not approve for return to service any engine with an HPT stage 2 wheel, P/N 23074644 or P/N 23075345, installed, that exceeds the new life limit of 9,500 CSN.

(4) For HPT stage 2 wheels, P/N 23084520, do the following:

(i) For HPT stage 2 wheels that have 23,000 CSN or more on the effective date of this AD, remove the HPT stage 2 wheel from service before the next flight after the effective date of this AD.

(ii) Thereafter, do not approve for return to service any engine with an HPT stage 2 wheel, P/N 23084520, installed, that exceeds the new life limit of 23,000 CSN.

(f) Alternative Methods of Compliance

The Manager, Chicago Aircraft Certification Office, may approve alternative methods of compliance for this AD. Use the procedures 14 CFR 39.19 to make your request.

(g) Related Information

(1) For more information about this AD, contact Kyri Zaroyiannis, Aerospace Engineer, Chicago Aircraft Certification Office, Small Airplane Directorate, FAA, 2300 E. Devon Ave., Des Plaines, IL 60018; phone: 847–294–7836; fax: 847–294–7834; email: kyri.zaroyiannis@faa.gov.

(2) Refer to RRC ASB No. AE 3007A–A–72–414, Revision 1, dated December 5, 2012, for related information.

(3) For service information identified in this AD, contact Rolls-Royce Corporation, 450 South Meridian Street, Mail Code NB–01–06, Indianapolis, IN 46225, phone: 317–230–1667; email: CMSEindyoSD@rolls-royce.com; Internet: www.rolls-royce.com.

(4) You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on August 1, 2013.

Robert J. Ganley,

Acting Assistant Directorate Manager, Engine & Propeller Directorate, Aircraft Certification Service.

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