

**DATES:** DOE will continue to accept written comments on the SNOPR published August 2, 2013 (78 FR 46829) submitted electronically or postmarked on or before November 29, 2013. The second public meeting will be held on November 15, 2013, from 9 a.m. to 12 p.m. at the Washington Grand Hyatt, 1000 H St. NW., Washington, DC 20001. Due to space limitations, DOE asks that interested persons send their requests to attend this meeting, by no later than 4:30 p.m. on November 13, 2013.

**ADDRESSES:** Interested persons should send their requests to attend the second public meeting via email to [Part810.SNOPR@nnsa.doe.gov](mailto:Part810.SNOPR@nnsa.doe.gov). DOE will confirm its receipt of requests. Comments may be submitted on the SNOPR, identified by RIN 1994-AA02, by any of the following methods:

1. *Federal Rulemaking Portal:* <http://www.regulations.gov/#!docketDetail;D=DOE-HQ-2011-0035>. Follow the instructions for submitting comments.

2. *Email:* [Part810.SNOPR@hq.doe.gov](mailto:Part810.SNOPR@hq.doe.gov). Include RIN 1994-AA02 in the subject line of the message.

3. *Mail:* Richard Goorevich, Senior Policy Advisor, Office of Nonproliferation and International Security, NA-24, National Nuclear Security Administration, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585.

Due to potential delays in DOE's receipt and processing of mail sent through the U.S. Postal Service, DOE encourages responders to submit comments electronically to ensure timely receipt.

All submissions must include the RIN for this rulemaking, RIN 1994-AA02. For additional information and instructions on submitting comments, see the "Public Comment Procedures" heading of the **SUPPLEMENTARY INFORMATION** section of the SNOPR.

**FOR FURTHER INFORMATION CONTACT:** Richard Goorevich, Senior Policy Advisor, Office of Nonproliferation and International Security, NA-24, National Nuclear Security Administration, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, telephone 202-586-0589; Janet Barsy, Office of the General Counsel, GC-53, Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, telephone 202-586-3429; or Katie Strangis, National Nuclear Security Administration, 1000 Independence Avenue SW., Washington, DC 20585, telephone 202-586-8623.

**SUPPLEMENTARY INFORMATION:**

I. Background

II. Second Public Meeting  
III. Extension of Comment Period

**I. Background**

On September 7, 2011, DOE issued a notice of proposed rulemaking (NOPR) to propose the first comprehensive updating of regulations concerning Assistance to Foreign Atomic Energy Activities since 1986. (76 FR 55278) The NOPR reflected a need to make the regulations consistent with current global civil nuclear trade practices and nonproliferation norms, and to update the activities and technologies subject to the Secretary of Energy's specific authorization and DOE reporting requirements. It also identified destinations with respect to which most assistance would be generally authorized and destinations that would require a specific authorization by the Secretary of Energy. After careful consideration of all comments received, DOE published a SNOPR on August 2, 2013, to respond to those comments, propose new or revised rule changes, and afford interested parties a second opportunity to comment. (78 FR 46829)

**II. Second Public Meeting**

A public meeting on the SNOPR was held at the DOE Forrestal Building located in Washington, DC, on August 5, 2013. A second public meeting on the SNOPR will be held on November 15, 2013, from 9 a.m. to 12 p.m. at the Washington Grand Hyatt, 1000 H St, NW Washington, DC, 20001. Interested persons should send their requests to attend the second public meeting via email to [Part810.SNOPR@nnsa.doe.gov](mailto:Part810.SNOPR@nnsa.doe.gov). DOE will confirm its receipt of requests.

Persons interested in giving an oral presentation at the second public meeting should provide a daytime phone number where the person can be reached in the email requesting attendance. Each oral presentation may be limited and may in no instance be longer than 20 minutes. Persons making an oral presentation are requested to provide 3 copies of their prepared statement to the public meeting and submit it at the registration desk. DOE reserves the right to select the persons who will speak. DOE also reserves the right to schedule speakers' presentations and to establish the procedures for conducting the meeting. A DOE official will be designated to preside at the meeting.

The meeting will not be a judicial or evidentiary-type hearing. Any further procedural rules for the conduct of the meeting will be announced by the presiding official. After the public meeting, interested persons may submit comments until the end of the comment

period. A transcript of the meeting will be made, and the entire record of this rulemaking will be retained by DOE and posted at [regulations.gov](http://regulations.gov).

**III. Extension of Comment Period**

Due to the lapse in the fiscal year 2014 appropriation and associated impacts on government operations, the Department will extend the comment period to November 29, 2013. The extension will facilitate conducting the second public meeting and afford additional time for the public to review and comment on the SNOPR.

As provided in the SNOPR, if you submit information that you believe to be exempt by law from public disclosure, you should submit one complete copy, as well as one copy from which the information claimed to be exempt by law from public disclosure has been deleted. DOE is responsible for the final determination with regard to disclosure or nondisclosure of the information and for treating it accordingly under the DOE Freedom of Information regulations at 10 CFR 1004.11.

Issued in Washington, DC, on October 23, 2013.

**Richard Goorevich,**  
*Senior Policy Advisor.*

[FR Doc. 2013-25551 Filed 10-28-13; 8:45 am]

**BILLING CODE 6450-01-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR part 25**

[Docket No. FAA-2013-0890; Notice No. 25-13-10-SC]

**Special Conditions: Airbus, Model A350-900 Series Airplane; Ground Pivoting Loads**

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

**ACTION:** Notice of proposed special conditions.

**SUMMARY:** This action proposes special conditions for Airbus Model A350-900 series airplanes. These airplanes will have a novel or unusual design feature(s) associated with a braking system that affects the airplane's pivoting behavior. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to

that established by the existing airworthiness standards.

**DATES:** Send your comments on or before December 13, 2013.

**ADDRESSES:** Send comments identified by docket number FAA-2013-0890 using any of the following methods:

- Federal eRegulations Portal: Go to <http://www.regulations.gov/> and follow the online instructions for sending your comments electronically.

- Mail: Send comments to Docket Operations, M-30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- Hand Delivery or Courier: Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays.

- Fax: Fax comments to Docket Operations at 202-493-2251.

Privacy: The FAA will post all comments it receives, without change, to <http://www.regulations.gov/>, including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477-19478), as well as at <http://DocketsInfo.dot.gov/>.

Docket: Background documents or comments received may be read at <http://www.regulations.gov/> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Todd Martin, FAA, Airframe/Cabin Safety, ANM-115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98057-3356; telephone (425) 227-1178; facsimile (425) 227-1320.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a

specific portion of the proposed special conditions, explain the reason for any recommended change, and include supporting data. We ask that you send us two copies of written comments.

We will consider all comments we receive on or before the closing date for comments. We may change these special conditions based on the comments we receive.

**Background**

On August 25, 2008, Airbus applied for a type certificate for their new Model A350-900 series airplane. Later, Airbus requested and the FAA approved an extension to the application for FAA type certification to June 28, 2009. The Model A350-900 series airplane has a conventional layout with twin wing-mounted Rolls-Royce Trent engines. It features a twin aisle 9-abreast economy class layout, and accommodates side-by-side placement of LD-3 containers in the cargo compartment. The basic Model A350-900 series configuration will accommodate 315 passengers in a standard two-class arrangement. The design cruise speed is Mach 0.85 with a Maximum Take-Off Weight of 602,000 lbs. Airbus proposes the Model A350-900 series airplane to be certified for extended operations (ETOPS) beyond 180 minutes at entry into service for up to a 420-minute maximum diversion time.

The Airbus Model A350-900 series airplane is equipped with a braking system that affects the airplane's pivoting behavior. During pivoting the braking system inhibits braking on some wheels. Title 14 Code of Federal Regulations (14 CFR) 25.503 and European Aviation Safety Agency (EASA) Certification Specification (CS) section 25.503, each specify limit loads due to pivoting, however, system effects are not taken into account.

**Type Certification Basis**

Under Title 14, Code of Federal Regulations (14 CFR) 21.17, Airbus must show that the Model A350-900 series meets the applicable provisions of 14 CFR part 25, as amended by Amendments 25-1 through 25-128.

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Model A350-900 series because of a novel or unusual design feature, special conditions are prescribed under § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that

incorporates the same or similar novel or unusual design feature, the proposed special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and proposed special conditions, the Model A350-900 series must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36 and the FAA must issue a finding of regulatory adequacy under § 611 of Public Law 92-574, the "Noise Control Act of 1972."

The FAA issues special conditions, as defined in 14 CFR 11.19, under § 11.38, and they become part of the type-certification basis under § 21.17(a)(2).

**Novel or Unusual Design Features**

The Airbus Model A350-900 series airplane will incorporate the following novel or unusual design features: a braking system that affects the airplane's pivoting behavior.

**Discussion**

Within the Aviation Rulemaking Advisory Committee, the Loads and Dynamics Harmonization Working Group developed criteria for determining pivoting loads. The group recommended, for airplanes with more than two main landing gear units, a rational pivoting maneuver that takes into account the effects of the braking system and tire characteristics, in lieu of the current requirement. Although the Airbus Model A350-900 series airplane has two main landing gear units, EASA and the FAA propose to apply the same criteria on this airplane.

**Applicability**

As discussed above, these proposed special conditions apply to Airbus Model A350-900 series airplanes. Should Airbus apply later for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the proposed special conditions would apply to that model as well.

**Conclusion**

This action affects only certain novel or unusual design features on the Airbus Model A350-900 series airplanes. It is not a rule of general applicability.

**List of Subjects in 14 CFR part 25**

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

### The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for Airbus Model A350-900 series airplanes in lieu of § 25.503:

1. The main landing gear and supporting structure must be designed for the loads induced by pivoting during ground maneuvers.

(a) The following rational pivoting maneuvers must be considered:

(i) Towing at the nose gear at the critical towing angle with no brakes applied, including cases with torque links disconnected; and separately,

(ii) Application of symmetrical or unsymmetrical forward thrust to aid pivoting, with or without braking by pilot action on the pedals.

(b) The airplane is assumed to be in static equilibrium, with the loads being applied at the ground contact points.

(c) The limit vertical load factor must be 1.0, and:

(i) For wheels with brakes applied, the coefficient of friction must be 0.8,

(ii) For wheels with brakes not applied, the ground tire reactions must be based on reliable tire data.

Issued in Renton, Washington, on September 12, 2013.

**Jeffrey E. Duven,**

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2013-0393; Directorate Identifier 2012-CE-025-AD]

RIN 2120-AA64

#### Airworthiness Directives; Twin Commander Aircraft LLC Airplanes; Initial Regulatory Flexibility Analysis

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

**ACTION:** Availability of an initial regulatory flexibility analysis.

**SUMMARY:** This document announces the availability of and request for comments on the initial regulatory flexibility analysis for the previously published Airworthiness Directive (AD) 2013-09-05 that applies to certain Twin Commander Aircraft LLC Models 690, 690A, and 690B airplanes. AD 2013-09-05 requires inspection for cracking of the outer fuselage attachments, the

lower wing main spar, the vertical channels, the upper picture window channels, aft cabin pressure web, external wing to fuselage fillets, and fasteners; repair or replacement of damaged parts as necessary; and modification of the structure with reinforced parts.

**DATES:** Comments must be received on or before December 13, 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:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Kathleen Arrigotti, Aerospace Engineer, FAA, Seattle Aircraft Certification Office (ACO), Airframe Branch, ANM-120S, 1601 Lind Avenue SW., Renton, WA 98057; telephone: (425) 917-6426; fax: (425) 917-6590; email: [kathleen.arrigotti@faa.gov](mailto:kathleen.arrigotti@faa.gov).

**SUPPLEMENTARY INFORMATION:**

#### Discussion

We issued AD 2013-09-05; Amendment 39-17446, which was published in the **Federal Register** on May 14, 2013 (78 FR 28125) (“AD 2013-09-05”), to amend 14 CFR part 39 to add an AD that would apply to the specified products. AD 2013-09-05 requires inspection for cracking of the outer fuselage attachments, the lower wing main spar, the vertical channels, the upper picture window channels, aft cabin pressure web, external wing to fuselage fillets, and fasteners; repair or replacement of damaged parts as necessary; and modification of the structure with reinforced parts.

#### Reason for This Action

The Regulatory Flexibility Act of 1980 (Pub. L. 96-354) (RFA) establishes “as a principle of regulatory issuance that agencies shall endeavor, consistent with the objectives of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of the businesses, organizations, and governmental jurisdictions subject to

regulation.” To achieve this principle, agencies are required to solicit and consider flexible regulatory proposals and to explain the rationale for their actions to assure that such proposals are given serious consideration. The RFA covers a wide-range of small entities, including small businesses, not-for-profit organizations, and small governmental jurisdictions.

Agencies must perform a review to determine whether a proposed or final rule will have a significant economic impact on a substantial number of small entities. In accordance with Section 608 of the Regulatory Flexibility Act, an agency head may waive or delay completion of some or all of the requirements of Section 603 by providing a written finding that the final rule is being promulgated in response to an emergency that makes compliance or timely compliance with the provisions of Section 603 impracticable. The agency issued AD 2013-09-05 in response to an immediate safety of flight condition that made compliance with the provisions of Section 603 impracticable. After issuing AD 2013-09-05, the agency reviewed the AD actions and determined that the final rule did have a significant economic impact on a substantial number of small entities. The following presents the initial regulatory flexibility analysis prepared by the agency as described in the RFA.

#### 1. Reason for Agency Action

We issued AD 2013-09-05 for certain Twin Commander Aircraft LLC Models 690, 690A, and 690B airplanes. The AD requires inspection for cracking of the outer fuselage attachments, the lower wing main spar, the vertical channels, the upper picture window channels, aft cabin pressure web, external wing to fuselage fillets, and fasteners; repair or replacement of damaged parts as necessary; and modification of the structure with reinforced parts. The AD was prompted by cracks found in the upper picture window frame channels, left- and right-hand wing main spar frame support channels, and aft pressure bulkhead web. This condition, if not corrected, could result in structural failure of the airplane. We issued the AD to correct the unsafe condition on these products.

#### 2. Legal Basis and Objectives of the Final Rule

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