

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

In addition to the applicable airworthiness regulations and special conditions, the Learjet Model 35 and 36 airplanes 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.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.101.

#### Novel or Unusual Design Features

The Learjet Model 35, 35A, 36, and 36A airplanes, as modified by Garmin, will incorporate the following novel or unusual design feature:

Installation of the Garmin Flight Stream 210 and GTN 6XX/7XX Navigator system into the airplanes.

#### Discussion

The Garmin Flight Stream 210 and GTN 6XX/7XX Navigator system allows connection to airplane electronic systems and networks, and access from airplane external sources (e.g., operator networks, wireless devices, Internet connectivity, service provider satellite communications, electronic flight bags, etc.) to the previously isolated airplane electronic assets. Airplane electronic assets include electronic equipment and systems, instruments, networks, servers, software and electronic components, field-loadable software and hardware applications, and databases. This system installation may result in network security vulnerabilities from intentional or unintentional corruption of data and systems required for the safety, operations, and maintenance of the airplane. The existing regulations and guidance material did not anticipate this type of system architecture, nor external wired and wireless electronic access to airplane electronic systems. Furthermore, regulations and current system-safety assessment policy and techniques do not address potential security vulnerabilities that could be caused by unauthorized access to airplane electronic systems and networks.

These 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.

#### Applicability

As discussed above, these special conditions are applicable to Learjet

Model 35 and 36 airplanes modified by Garmin. Should Garmin apply at a later date for a supplemental type certificate, to incorporate the same novel or unusual design feature for any other model included on the same type certificate, these special conditions would apply to that model as well.

#### Conclusion

This action affects only a certain novel or unusual design feature on two models of airplanes. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of this feature on the airplanes.

#### 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 Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Learjet Model 35 and 36 airplanes modified by Garmin.

1. The applicant must ensure that the airplane electronic systems are protected from access by unauthorized sources external to the airplane, including those possibly caused by maintenance activity.

2. The applicant must ensure that electronic system-security threats are identified and assessed, and that effective electronic system-security protection strategies are implemented to protect the airplane from all adverse impacts on safety, functionality, and continued airworthiness.

3. The applicant must establish appropriate procedures to allow the operator to ensure that continued airworthiness of the airplane is maintained, including all post-type-certification modifications that may have an impact on the approved electronic system-security safeguards.

Issued in Renton, Washington, on May 17, 2017.

**Michael Kaszycki,**

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

[FR Doc. 2017-10478 Filed 5-22-17; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 25

[Docket No. FAA-2017-0023; Special Conditions No. 25-677-SC]

#### Special Conditions: Garmin International, Learjet, Inc., Model 35 and 36 Airplanes; Isolation of Airplane Electronic-System Security Protection From Unauthorized Internal Access

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

**ACTION:** Final special conditions; request for comments.

**SUMMARY:** These special conditions are issued for Garmin International (Garmin) for modifications to Learjet, Inc., (Learjet) Model 35 and 36 airplanes. These airplanes, as modified by Garmin, will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport-category airplanes. This design feature incorporates the Garmin Flight Stream 210 and GTN 6XX/7XX Navigator system into the airplanes. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These 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:** This action is effective on Garmin on May 23, 2017. We must receive your comments by July 7, 2017.

**ADDRESSES:** Send comments identified by docket number FAA-2017-0023 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).

*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 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:** Varun Khanna, FAA, Airplane and Flightcrew Interface, ANM-111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone 425-227-1298; facsimile 425-227-1320.

**SUPPLEMENTARY INFORMATION:** The FAA has determined that notice of, and opportunity for prior public comment on, these special conditions is impracticable because these procedures would significantly delay issuance of the design approval, and thus delivery, of the affected airplane.

In addition, the substance of these special conditions has been subject to the public-comment process in several prior instances with no substantive comments received. The FAA therefore finds it unnecessary to delay the effective date and finds that good cause exists for making these special conditions effective upon publication in the **Federal Register**.

The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

#### 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 special conditions, explain the reason for any recommended change, and include supporting data.

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

#### Background

On October 26, 2015, Garmin applied for a supplemental type certificate to install the Garmin Flight Stream 210 and GTN 6XX/7XX Navigator system in Learjet Model 35 and 36 airplanes. These airplanes, which are currently approved under Type Certificate No. A10CE, are twin-engine corporate turbojet airplanes with a maximum takeoff weight of 18,301 lbs., and seating for 8 passengers and 2 crew members.

#### Type Certification Basis

Under the provisions of title 14, Code of Federal Regulations (14 CFR) 21.101, Garmin must show that the Learjet Model 35 and 36 airplanes, as changed, continue to meet the applicable provisions of the regulations listed in Type Certificate No. A10CE or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA.

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 Learjet Model 35 and 36 airplanes because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the applicant apply for a supplemental type certificate to modify any other model included on the same type certificate to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Learjet Model 35 and 36 airplanes 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.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.101.

#### Novel or Unusual Design Features

The Learjet Model 35, 35A, 36, and 36A airplanes, as modified by Garmin, will incorporate the following novel or unusual design feature:

Installation of the Garmin Flight Stream 210 and GTN 6XX/7XX Navigator system into the airplanes.

#### Discussion

The Garmin Flight Stream 210 and GTN 6XX/7XX Navigator system design,

installed in Learjet Model 35 and 36 airplanes, introduces the potential for unauthorized persons, accessing the passenger-services domain, to access the airplane-control domain and airplane information-services domain; and further may introduce security vulnerabilities related to the introduction of viruses, worms, user errors, and intentional sabotage of airplane networks, systems, and databases.

The operating systems for current airplane systems usually are proprietary. Therefore, they are not as susceptible to corruption from worms, viruses, and other malicious actions as are more widely used commercial operating systems, such as Microsoft Windows, because access to the design details of these proprietary operating systems is limited to the system developer and airplane integrator. Some systems installed on the Learjet Model 35 and 36 airplanes will use operating systems that are widely used and commercially available from third-party software suppliers. The security vulnerabilities of these operating systems may be more widely known than proprietary operating systems currently used by avionics manufacturers.

These 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.

#### Applicability

As discussed above, these special conditions are applicable to Learjet Model 35 and 36 airplanes modified by Garmin. Should Garmin apply at a later date for a supplemental type certificate, to incorporate the same novel or unusual design feature for any other model included on the same type certificate, these special conditions would apply to that model as well.

#### Conclusion

This action affects only a certain novel or unusual design feature on two models of airplanes. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of this feature on the airplanes.

#### 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 Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Learjet Model 35 and 36 airplanes modified by Garmin.

1. The applicant must ensure that the design provides isolation from, or airplane electronic-system security protection against, access by unauthorized sources internal to the airplane. The design must prevent inadvertent and malicious changes to, and all adverse impacts upon, airplane equipment, systems, networks, or other assets required for safe flight and operations.

2. The applicant must establish appropriate procedures to allow the operator to ensure that continued airworthiness of the airplane is maintained, including all post-type-certification modifications that may have an impact on the approved electronic-system security safeguards.

Issued in Renton, Washington, on May 17, 2017.

**Michael Kaszycki,**

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

[FR Doc. 2017-10479 Filed 5-22-17; 8:45 am]

**BILLING CODE 4910-13-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2016-9430; Directorate Identifier 2016-NM-051-AD; Amendment 39-18874; AD 2017-09-12]

RIN 2120-AA64

#### **Airworthiness Directives; ATR-GIE Avions de Transport Régional Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain ATR-GIE Avions de Transport Régional Model ATR42-500 airplanes and Model ATR72-102, -202, -212, and -212A airplanes. This AD was prompted by reports of failure of emergency power supply units (EPSUs) in production and in service. This AD requires an inspection to determine the part number and serial number of each EPSU, and replacement if necessary. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective June 27, 2017.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of June 27, 2017.

**ADDRESSES:** For ATR service information identified in this final rule, contact ATR-GIE Avions de Transport Régional, 1, Allée Pierre Nadot, 31712 Blagnac Cedex, France; telephone +33 (0) 5 62 21 62 21; fax +33 (0) 5 62 21 67 18; email *continued.airworthiness@atr.fr*; Internet *http://www.aerochain.com*.

For COBHAM service information identified in this final rule, contact COBHAM Aerospace Communications, 174-178 Quai de Jemmapes, Paris, France, 75010; telephone +33 (0) 1 53 38 98 98; fax +33 (0) 1 42 00 67 83; Internet *www.cobham.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-2016-9430.

#### **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-2016-9430; 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 street address for the Docket Office (telephone 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:** 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.

#### **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 certain ATR-GIE Avions de Transport Régional Model ATR42-500 airplanes and Model ATR72-102, -202,

-212, and -212A airplanes. The NPRM published in the **Federal Register** on December 1, 2016 (81 FR 86627). The NPRM was prompted by reports of failure of EPSUs in production and in service. The NPRM proposed to require an inspection to determine the part number and serial number of each EPSU, and replacement if necessary. We are issuing this AD to detect and correct defective internal electronic components, which could adversely affect the EPSU internal battery. This condition could result in a partial or total loss of emergency lighting, possibly affecting passenger evacuation during an emergency situation.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2016-0070, dated April 11, 2016; corrected April 12, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”); to correct an unsafe condition for certain ATR-GIE Avions de Transport Régional Model ATR42-500 airplanes and Model ATR72-102, -202, -212, and -212A airplanes. The MCAI states:

Some failure cases have been reported of emergency power supply units (EPSU), Part Number (P/N) 301-3100 Amdt [Amendment] A, both on the production line and in service. The results of the technical investigations revealed that these failures could have been caused by a defective internal electronic component, which could affect the EPSU internal battery charge.

This condition, if not detected and corrected, could result in a partial or total (depending on number of affected EPSUs installed) loss of emergency lighting, possibly affecting passenger evacuation during an emergency situation.

To address this potential unsafe condition, ATR issued Service Bulletin (SB) ATR42-33-0050 and SB ATR72-33-1043 to provide instructions to inspect EPSUs.

For the reason described above, this [EASA] AD requires identification and replacement of the affected EPSUs with serviceable units.

This [EASA] AD was republished to correct two typographical errors in paragraph (3) of the [EASA] AD and to specify the correct Revision (3) of the Cobham SB 301-3100-33-002.

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-2016-9430.

#### **Comments**

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