

Special Condition 1 requires that each individual cell within a rechargeable lithium battery be designed to maintain safe temperatures and pressures. Special Condition 2 addresses these same issues but for the entire battery. Special Condition 2 requires the battery be designed to prevent propagation of a thermal event, such as self-sustained, uncontrolled increases in temperature or pressure from one cell to adjacent cells.

Special Conditions 1 and 2 are intended to ensure that the cells and battery are designed to eliminate the potential for uncontrollable failures. However, a certain number of failures will occur due to various factors beyond the control of the designer. Therefore, other special conditions are intended to protect the airplane and its occupants if failure occurs.

Special Conditions 3, 7, and 8 are self-explanatory.

Special Condition 4 clarifies that the flammable fluid fire-protection requirements of § 25.863 apply to rechargeable lithium battery installations. Section 25.863 is applicable to areas of the airplane that could be exposed to flammable fluid leakage from airplane systems. Rechargeable lithium batteries contain electrolyte that is a flammable fluid.

Special Condition 5 requires each rechargeable lithium battery installation to not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition. Special Condition 6 requires each rechargeable lithium battery installation to have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells. The means of meeting special conditions 5 and 6 may be the same, but they are independent requirements addressing different hazards. Special Condition 5 addresses corrosive fluids and gases, whereas Special Condition 6 addresses heat.

Special Condition 9 requires rechargeable lithium batteries to have "automatic" means due to the fast acting nature of lithium battery chemical reactions. Manual intervention would not be timely or effective in mitigating the hazards associated with these batteries.

These conditions apply to all rechargeable lithium battery installations in lieu of § 25.1353(b)(1) through (4) at amendment 25–123, or § 25.1353(c)(1) through (4) at earlier amendments. These regulations will

remain in effect for other battery installations on these airplanes.

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 Boeing Model DC3C airplanes as modified by Preferred Improvements, LLC. Should Preferred Improvements, LLC, apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A699 to incorporate the same novel or unusual design feature, these special conditions would apply to those models as well.

#### Conclusion

This action affects only a certain novel or unusual design feature on one model of airplane. 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(f), 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 Boeing Model DC3C airplanes as modified by Preferred Improvements, LLC.

#### Rechargeable Lithium Battery Installations

In lieu of § 25.1353(b)(1) through (4) at amendment 25–123, or § 25.1353(c)(1) through (4) at earlier amendments, each rechargeable lithium battery installation must:

1. Be designed to maintain safe cell temperatures and pressures under all foreseeable operating conditions to prevent fire and explosion.
2. Be designed to prevent the occurrence of self-sustaining, uncontrollable increases in temperature or pressure, and automatically control the charge rate of each cell to protect against adverse operating conditions, such as cell imbalance, back charging, overcharging and overheating.

3. Not emit explosive or toxic gases, either in normal operation or as a result of its failure that may accumulate in

hazardous quantities within the airplane.

4. Meet the requirements of § 25.863.

5. Not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more-severe failure condition.

6. Have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells.

7. Have a failure sensing and warning system to alert the flight crew if its failure affects safe operation of the airplane.

8. If its function is required for safe operation of the airplane, have a monitoring and warning feature that alerts the flight crew when its charge state falls below acceptable levels.

9. Have a means to automatically disconnect from its charging source in the event of an over-temperature condition, cell failure or battery failure.

**Note:** A battery system consists of the battery, battery charger and any protective, monitoring and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging. For the purpose of this special condition, a battery and battery system are referred to as a battery.

Issued in Renton, Washington, on January 17, 2018.

**Victor Wicklund,**

*Manager, Transport Standards Branch, Policy & Innovation Division, Aircraft Certification Service.*

[FR Doc. 2018–01102 Filed 1–22–18; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2018–0015; Product Identifier 2017–CE–045–AD; Amendment 39–19158; AD 2018–02–05]

**RIN 2120–AA64**

#### Airworthiness Directives; Piper Aircraft, Inc.

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain Piper Aircraft, Inc. Models PA–28–140, PA–28–150, PA–28–151, PA–28–160, PA–28–161, PA–28–180, PA–28–181,

PA-28-236, PA-28-201T, PA-28R-180, PA-28R-200, PA-28R-201, PA-28R-201T, PA-28RT-201, and PA-28RT-201T airplanes. This AD requires inspecting the fuel tank selector cover to verify the left and right fuel tank selector placards are located at the proper positions and replacing those that are improperly located with new placards. This AD was prompted by a quality control issue at the manufacturer that resulted in the installation of the fuel tank selector covers with the left and right fuel tank selector placards improperly located. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective February 7, 2018.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of February 7, 2018.

We must receive comments on this AD by March 9, 2018.

**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 service information identified in this final rule, contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, FL 32960; telephone: (772) 567-4361; internet: [www.piper.com/technical-publications-documents/](http://www.piper.com/technical-publications-documents/). You may view this service information at the FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0015.

#### 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-2018-0015; or in person at the Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

Ronald Segall, Aerospace Engineer, Atlanta ACO Branch, FAA, 1701 Columbia Avenue, College Park, Georgia 30337; phone: (404) 474-5541; fax: (404) 474-5506; email: [ronald.segall@faa.gov](mailto:ronald.segall@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Discussion

We received a report from Piper Aircraft, Inc., that they had a quality control issue that resulted in the installation of fuel tank selector covers with the placement of the left and right fuel tank selector placards installed in reverse on certain Piper Aircraft, Inc. Models PA-28-140, PA-28-150, PA-28-151, PA-28-160, PA-28-161, PA-28-180, PA-28-181, PA-28-236, PA-28-201T, PA-28R-180, PA-28R-200, PA-28R-201, PA-28R-201T, PA-28RT-201, and PA-28RT-201T airplanes. This condition, if not addressed, could result in fuel management errors resulting in fuel starvation and loss of engine power in flight. We are issuing this AD to address the unsafe condition on these products.

#### Related Service Information Under 1 CFR Part 51

We reviewed Piper Aircraft, Inc. Service Bulletin No. 1309, dated October 10, 2017. The service bulletin describes procedures for inspecting the fuel tank selector cover to verify the left and right fuel tank selector placards are located at the 12:00 and 3:00 clock positions, respectively, and replacing those that are improperly located with new placards. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

#### FAA's Determination

We are issuing 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.

#### AD Requirements

This AD requires accomplishing the actions specified in the service information described previously.

#### FAA's Justification and Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because improper fuel selection could result in fuel starvation and loss of engine power in flight. Therefore, we find good cause that notice and opportunity for prior public comment are impracticable. In addition, for the reason stated above, we find that good cause exists for making this amendment effective in less than 30 days.

#### Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment. However, we invite you to send any written data, views, or arguments about this final rule. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number FAA-2018-0015 and Product Identifier 2017-CE-045-AD at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this final rule. We will consider all comments received by the closing date and may amend this final rule 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 final rule.

#### Costs of Compliance

We estimate that this AD affects 17,957 airplanes, of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspect the left and right fuel tank selector placards for proper installation.	.5 work-hour × \$85 per hour = \$42.50 .....	Not applicable .....	\$42.50	\$763,172.50

We estimate the following costs to do any necessary replacements that would

be required based on the results of the inspection. We have no way of

determining the number of aircraft that might need this replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Install new fuel selector placards on the fuel selector cover.	.5 work-hour × \$85 per hour = \$42.50 .....	\$9.26	\$51.76

According to the manufacturer, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all costs in our cost estimate.

**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.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C.

In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to small airplanes, gliders, and domestic business jet transport airplanes and associated appliances to the Director of the Policy and Innovation Division.

**Regulatory Findings**

This AD will not have federalism implications under Executive Order 13132. This AD will 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 this AD:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Is not a “significant rule” under 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.

**Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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):

**2018–02–05 Piper Aircraft, Inc.:**  
Amendment 39–19158; Docket No. FAA–2018–0015; Product Identifier 2017–CE–045–AD.

**(a) Effective Date**

This AD is effective February 7, 2018.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to the following Piper Aircraft, Inc. airplane models and serial numbers (S/Ns) that are certificated in any category:

TABLE 1 TO PARAGRAPH (c) OF THIS AD—APPLICABLE AIRPLANE MODELS AND S/NS

Model	Serial No.
PA–28–140 .....	28–20001 through 28–26946; 28–7125001 through 28–7725290.
PA–28–150 .....	28–03, 28–1 through 28–4377, and 28–1760A.
PA–28–151 .....	28–7415001 through 28–7715314.
PA–28–160 .....	28–03, 28–1 through 28–4377, and 28–1760A.
PA–28–161 .....	2841001 through 2841365, 28–7716001 through 28–8216300, 28–8316001 through 28–8616057, 2816001 through 2816109, 2816110 through 2816119, and 2842001 through 2842420.
PA–28–180 .....	28–03, 28–671 through 28–5859, 28–7105001 through 28–7205318, 28–E13, and 28–7305001 through 28–7505261.

TABLE 1 TO PARAGRAPH (c) OF THIS AD—APPLICABLE AIRPLANE MODELS AND S/Ns—Continued

Model	Serial No.
PA-28-181 .....	28-7690001 through 28-8690056, 28-8690061, 28-8690062, 2890001 through 2890205, 2890206 through 2890231, and 2843001 through 2843879.
PA-28-236 .....	28-7911001 through 28-8611008 and 2811001 through 2811050.
PA-28-201T .....	28-7921001 through 28-7921095.
PA-28R-180 .....	28R-30002 through 28R-31270 and 28R-7130001 through 28R-7130019.
PA-28R-200 .....	28R-30482, 28R-35001 through 28R-35820, 28R-7135001 through 28R-7135238, and 28R-7235001 through 28R-7635545.
PA-28R-201 .....	28R-7737002 through 28R-7837317, 2837001 through 2837061, and 2844001 through 2844171.
PA-28R-201T .....	28R-7703001 through 28R-7803374 and 2803001 through 2803015.
PA-28RT-201 .....	28R-7918001 through 28R-8218026.
PA-28RT-201T .....	28R-7931001 through 28R-8631005, and 2831001 through 2831038.

**(d) Subject**

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 11, Placard and Markings.

**(e) Unsafe Condition**

This AD was prompted by a quality control issue at the manufacturer that resulted in the installation of fuel tank selector covers with the left and right fuel tank selector placards improperly located. We are issuing this AD to prevent fuel management error. The unsafe condition, if not addressed, could result in fuel starvation and loss of engine power in flight.

**(f) Compliance**

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

**(g) Inspect Fuel Selector Cover**

Before further flight after February 7, 2018 (the effective date of this AD), inspect the left and right fuel selector cover placards for proper installation using Part I of Piper Aircraft, Inc. (Piper) Service Bulletin (SB) No. 1309, dated October 10, 2017. If the fuel selectors placards are properly installed, no further action is required.

**(h) Install Temporary Fuel Selector Placards**

If improper (reversed clock positions) installation of the left and right fuel selector placards is found during the inspection required in paragraph (g) of this AD, before further flight, fabricate and install temporary left and right fuel selector placards using Part II of Piper SB No. 1309, dated October 10, 2017. In lieu of installing the temporary placards required by this paragraph, you may install the permanent placards specified in paragraph (i) of this AD.

**(i) Install Permanent Fuel Selector Placards**

Within the next 100 hours time-in-service (TIS) after February 7, 2018 (the effective date of this AD), replace the temporary placard installed in paragraph (h) of this AD with permanent left and right fuel selector placards using Part III of Piper SB No. 1309, dated October 10, 2017, unless already done in lieu of installing the temporary placards specified in paragraph (h) of this AD.

**(j) Special Flight Permit**

A special flight permit is allowed for this AD per 14 CFR 39.23 with the following limitations: Flights are not to exceed a total

of 100 hours TIS with temporary placards installed.

**(k) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Atlanta ACO Branch, 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 certification office, send it to the attention of the person identified in Related Information, paragraph (l), of this AD.

(2) 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.

**(l) Related Information**

For more information about this AD, contact Ronald Segall, Aerospace Engineer, Atlanta ACO Branch, FAA, 1701 Columbia Avenue, College Park, Georgia 30337; phone: (404) 474-5541; fax: (404) 474-5506; email: [ronald.segall@faa.gov](mailto:ronald.segall@faa.gov).

**(m) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Piper Aircraft, Inc. Service Bulletin No. 1309, dated October 10, 2017.

(ii) Reserved.

(3) For Piper Aircraft, Inc. service information identified in this AD, contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, FL 32960; telephone: (772) 567-4361; internet: [www.piper.com/technical-publications-documents/](http://www.piper.com/technical-publications-documents/).

(4) You may view this service information at FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

[www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

Issued in Kansas City, Missouri, on January 16, 2018.

**Melvin J. Johnson,**

*Deputy Director, Policy & Innovation Division, Aircraft Certification Service.*

[FR Doc. 2018-01059 Filed 1-22-18; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

**[Docket No. FAA-2017-1060; Airspace Docket No. 17-AEA-19]**

**Amendment of Class E Airspace; Kane, PA**

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** This action amends the legal description of the Class E airspace extending upward from 700 feet above the surface at Kane Community Hospital Heliport, Kane, PA, by correcting the geographic coordinates of the heliport and point in space coordinates. This action does not affect the boundaries or operating requirements of the airspace. **DATES:** Effective 0901 UTC, March 29, 2018. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11.B Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at <http://www.faa.gov/airtraffic/publications/>. For further information, you can contact the Airspace Policy and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington,