

# Rules and Regulations

Federal Register

Vol. 83, No. 99

Tuesday, May 22, 2018

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2018-0093; Product Identifier 2017-CE-047-AD; Amendment 39-19284; AD 2018-10-09]

RIN 2120-AA64

#### Airworthiness Directives; DG Flugzeugbau GmbH Gliders

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

**ACTION:** Final rule.

**SUMMARY:** We are superseding Airworthiness Directive (AD) 2017-11-03 for DG Flugzeugbau GmbH Model DG-500MB gliders that are equipped with a Solo 2625 02 engine modified with a fuel injection system following the instructions of Solo Kleinmotoren GmbH Technische Mitteilung 4600-3 and identified as Solo 2625 02i. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as failure of the connecting rod bearing resulting from too much load on the rod bearings from the engine control unit. This AD adds a model to the applicability. We are issuing this AD to require actions to address the unsafe condition on these products.

**DATES:** This AD is effective June 26, 2018.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of June 29, 2017 (82 FR 24015; May 25, 2017).

**ADDRESSES:** You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0093; or in person at Docket Operations,

U.S. Department of Transportation, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

For service information identified in this AD, contact Solo Kleinmotoren GmbH, Postfach 600152, 71050 Sindelfingen, Germany; telephone: +49 703 1301-0; fax: +49 703 1301-136; email: [aircraft@solo-germany.com](mailto:aircraft@solo-germany.com); internet: <http://aircraft.solo-online.com>. You may review copies of the referenced 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.

**FOR FURTHER INFORMATION CONTACT:** Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Standards Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4165; fax: (816) 329-4090; email: [jim.rutherford@faa.gov](mailto:jim.rutherford@faa.gov).

#### 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 DG Flugzeugbau GmbH Models DG-500MB and DG-1000M gliders. That NPRM was published in the **Federal Register** on February 12, 2018 (83 FR 5956), and proposed to supersede AD 2017-11-03, Amendment 39-18902 (82 FR 24015; May 25, 2017) (“AD 2017-11-03”). Since we issued AD 2017-11-03, the FAA has now type certificated the DG Flugzeugbau GmbH Model DG-1000M glider and that glider model is equipped with a Solo 2625 02i engine. Since this model has the same engine, it is subject to the same unsafe condition in AD 2017-11-03.

The NPRM proposed to correct an unsafe condition for the specified products and was based on mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country. You may examine the MCAI on the internet at: <https://www.regulations.gov/document?D=FAA-2017-0158-0002>.

#### Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

#### Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

#### Related Service Information Under 14 CFR Part 51

We reviewed Solo Kleinmotoren GmbH Technische Mitteilung (English translation: Service Bulletin) Nr. 4600-6, Ausgabe 1 (English translation: Issue 1), dated November 16, 2016, approved for incorporation by reference on June 29, 2017 (82 FR 24015; May 25, 2017). The service information describes procedures for a software update that provides new settings to the engine control unit (ECU) to lower the load on the bearings of the crankshaft. 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 of this AD.

#### Costs of Compliance

We estimate that this AD will affect 6 products of U.S. registry. We also estimate that it would take about 2 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour.

Based on these figures, we estimate the cost of this AD on U.S. operators to be \$1,020, or \$170 per product.

#### 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, balloons, airships, domestic business jet transport airplanes, and associated appliances to the Director of the Policy and Innovation Division.

### Regulatory Findings

We determined that 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 this AD:

(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.

### 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–2018–0093; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

### 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 removing Amendment 39–18902 (82 FR 24015; May 25, 2017) and adding the following new AD:

**2018–10–09 DG Flugzeugbau GmbH:**  
Amendment 39–19284; Docket No. FAA–2018–0093; Product Identifier 2017–CE–047–AD.

#### (a) Effective Date

This airworthiness directive (AD) becomes effective June 26, 2018.

#### (b) Affected ADs

This AD supersedes AD 2017–11–03, Amendment 39–18902 (82 FR 24015; May 25, 2017) (“AD 2017–11–03”).

#### (c) Applicability

This AD applies to DG Flugzeugbau GmbH Models DG–500MB and DG–1000M gliders, all serial numbers, certificated in any category, that are:

- (1) Equipped with Solo 2625 02 engine modified with a fuel injection system following the instructions of Solo Kleinmotoren GmbH Service Bulletin (SB)/ Technische Mitteilung (TM) 4600–3 “Fuel Injection System” and re-identified as Solo 2625 02i; or
- (2) Equipped with a Solo 2625 02i engine at manufacture and have engine serial numbers S/Ns up to 369/207, except engine S/Ns 354/194, 356/196, 357/197, 358/198, 361/201, 362/202, 363/203, 364/204, and 368/206.

#### (d) Subject

Air Transport Association of America (ATA) Code 73: Engine fuel and control.

#### (e) Reason

This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as failure of the connecting rod bearing resulting from too much load on the rod bearings from the engine control unit. This AD results from the need to add a glider model to the applicability. We are issuing this AD to prevent such failure that could lead to the

potential of an in-flight shut-down and engine fire and result in loss of control.

### (f) Actions and Compliance

(1) Unless already done, modify the engine by installing a software update for the engine control unit (ECU) following the actions in Solo Kleinmotoren GmbH Technische Mitteilung (English translation: Service Bulletin), Nr. 4600–6, Ausgabe 1 (English translation: Issue 1), dated November 16, 2016, at the applicable compliance time in paragraph (f)(1)(i) or (ii) of this AD.

(i) For Model DG–500MB gliders, within the next 60 days after June 29, 2017 (the effective date of AD 2017–11–03); or

(ii) For Model DG–1000M gliders, within the next 60 days after the effective date of this AD.

(2) After the modification of an engine as required by paragraph (f)(1)(i) or (f)(1)(ii) of this AD, do not install a replacement ECU on that engine and do not upload any software update to the ECU of that engine unless the ECU software version is as specified in Solo Kleinmotoren GmbH Technische Mitteilung (English translation: Service Bulletin), Nr. 4600–6, Ausgabe 1 (English translation: Issue 1), dated November 16, 2016.

(3) The Note in Solo Kleinmotoren GmbH Technische Mitteilung (English translation: Service Bulletin), Nr. 4600–6, Ausgabe 1 (English translation: Issue 1), dated November 16, 2016, stating “the actions have to be accomplished by a certified maintenance organization and must be released to service accordingly” is not applicable to this AD.

**Note 1 to paragraph (f) of this AD:** This service information contains German to English translation. The EASA used the English translation in referencing the document. For enforceability purposes, we will refer to the Solo Kleinmotoren service information as it appears on the document.

### (g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Small Airplane Standards Branch, 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: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Standards Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: [jim.rutherford@faa.gov](mailto:jim.rutherford@faa.gov). Before using any approved AMOC on any glider to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, Small Airplane Standards Branch, FAA; or the European Aviation Safety Agency (EASA).

### (h) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2016–0254, dated

December 15, 2016, correction dated January 4, 2017, for related information. You may examine the MCAI on the internet at: <https://www.regulations.gov/document?D=FAA-2017-0158-0002>.

**(i) 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 the AD specifies otherwise.

(3) The following service information was approved for IBR on June 29, 2017 (82 FR 24015; May 25, 2017).

(i) Solo Kleinmotoren GmbH Technische Mitteilung (English translation: Service Bulletin), Nr. 4600-6, Ausgabe 1 (English translation: Issue 1), dated November 16, 2016.

(ii) Reserved.

**Note 2 to paragraph (i)(3)(i) of this AD:**

This service information contains German to English translation. The EASA used the English translation in referencing the document. For enforceability purposes, we will refer to the Solo Kleinmotoren service information as it appears on the document.

(4) For service information identified in this AD, contact Solo Kleinmotoren GmbH, Postfach 600152, 71050 Sindelfingen, Germany; telephone: +49 703 1301-0; fax: +49 703 1301-136; email: [aircraft@solo-germany.com](mailto:aircraft@solo-germany.com); internet: <http://aircraft.solo-online.com>.

(5) 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. In addition, you can access this service information on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0093.

(6) 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>

Issued in Kansas City, Missouri, on May 11, 2018.

**Melvin J. Johnson,**

*Aircraft Certification Service, Deputy Director, Policy and Innovation Division, AIR-601.*

[FR Doc. 2018-10583 Filed 5-21-18; 8:45 am]

**BILLING CODE 4910-13-P**

**COMMODITY FUTURES TRADING COMMISSION**

**17 CFR Part 30**

**Foreign Futures and Options Transactions**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Order.

**SUMMARY:** The Commodity Futures Trading Commission (Commission or CFTC) is granting an exemption to certain member firms designated by the National Stock Exchange of India Ltd. (NSE) from the application of certain of the Commission's foreign futures and option regulations based upon substituted compliance with certain comparable regulatory and self-regulatory requirements of a foreign regulatory authority consistent with conditions specified by the Commission, as set forth herein. This Order is issued pursuant to Commission Regulation 30.10, which permit persons to file a petition with the Commission for exemption from the application of certain of the Regulations set forth in part 30 and authorizes the Commission to grant such an exemption if such action would not be otherwise contrary to the public interest or to the purposes of the provision from which exemption is sought. The Commission notes that this Order does not pertain to any transaction in swaps, as defined in Section 1a(47) of the Commodity Exchange Act (Act).

**DATES:** Effective May 22, 2018.

**FOR FURTHER INFORMATION CONTACT:** Andrew V. Chapin, Associate Chief Counsel, (202) 418-5465, [achapin@cftc.gov](mailto:achapin@cftc.gov), or Scott W. Lee, Special Counsel, (202) 418-5090, [slee@cftc.gov](mailto:slee@cftc.gov), Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street NW, Washington, DC 20581.

**SUPPLEMENTARY INFORMATION:** The Commission has issued the following Order:

**Order Under CFTC Regulation 30.10 Exempting Firms Designated by the National Stock Exchange of India Ltd. (NSE) From the Application of Certain of the Foreign Futures and Option Regulations the Later of the Date of Publication of the Order Herein in the Federal Register or After Filing of Consents by Such Firms and NSE, as Appropriate, to the Terms and Conditions of the Order Herein.**

Commission Regulations governing the offer and sale of commodity futures and option contracts traded on or subject to the regulations of a foreign board of trade to customers located in the U.S. are contained in part 30 of the Commission's regulations.<sup>1</sup> These regulations include requirements for intermediaries with respect to registration, disclosure, capital

adequacy, protection of customer funds, recordkeeping and reporting, and sales practice and compliance procedures that are generally comparable to those applicable to transactions on U.S. markets.

In formulating a regulatory program to govern the offer and sale of foreign futures and option products to customers located in the U.S., the Commission, among other things, considered the desirability of ameliorating the potential impact of such a program. Based upon these considerations, the Commission determined to permit persons located outside the U.S. and subject to a comparable regulatory structure in the jurisdiction in which they were located to seek an exemption from certain of the requirements under part 30 of the Commission's regulations based upon substituted compliance with the regulatory requirements of the foreign jurisdiction.<sup>2</sup>

Appendix A to part 30, "Interpretative Statement With Respect to the Commission's Exemptive Authority Under § 30.10 of Its Rules" (Appendix A), generally sets forth the elements the Commission will evaluate in determining whether a particular regulatory program may be found to be comparable for purposes of exemptive relief pursuant to Regulation 30.10.<sup>3</sup> These elements include: (1) registration, authorization or other form of licensing, fitness review or qualification of persons that solicit and accept customer orders; (2) minimum financial requirements for those persons who accept customer funds; (3) protection of customer funds from misapplication; (4) recordkeeping and reporting requirements; (5) sales practice standards; (6) procedures to audit for compliance with, and to take action against those persons who violate, the requirements of the program; and (7) information sharing arrangements between the Commission and the appropriate governmental and/or self-regulatory organization to ensure Commission access on an "as needed" basis to information essential to maintaining standards of customer and market protection within the U.S.

Moreover, the Commission specifically stated in adopting Regulation 30.10 that no exemption of a general nature would be granted unless the persons to whom the exemption is to be applied: (1) submit to jurisdiction in the U.S. by designating an agent for service of process in the U.S. with

<sup>1</sup> Commission regulations referred to herein are found at 17 CFR Chapter I.

<sup>2</sup> "Foreign Futures and Foreign Options Transactions," 52 FR 28290 (Aug. 5, 1987).

<sup>3</sup> 52 FR 28990, 29001.