

Issued in Washington, DC, on June 6, 2018.

**Daniel K. Elwell,**

*Acting Administrator.*

[FR Doc. 2018-13177 Filed 6-19-18; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2017-1247; Product Identifier 2017-NM-085-AD; Amendment 39-19316; AD 2018-13-04]

RIN 2120-AA64

#### Airworthiness Directives; Bombardier, Inc., Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain Bombardier, Inc., Model BD-100-1A10 airplanes. This AD was prompted by a report indicating that certain lanyards for the passenger oxygen masks located in the airplane's entry area are too long. This AD requires replacement of certain oxygen mask lanyards with shorter lanyards. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective July 25, 2018.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of July 25, 2018.

**ADDRESSES:** For service information identified in this final rule, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone: 514-855-5000; fax: 514-855-7401; email: [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); internet: <http://www.bombardier.com>. You may view this referenced service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-1247.

#### 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-2017-1247; 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:

Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7318; fax 516-794-5531.

#### 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 Bombardier, Inc., Model BD-100-1A10 airplanes. The NPRM published in the **Federal Register** on January 17, 2018 (83 FR 2373) ("the NPRM"). The NPRM was prompted by a report indicating that certain lanyards for the passenger oxygen masks located in the airplane's entry area are too long. The NPRM proposed to require replacement of certain oxygen mask lanyards with shorter lanyards. We are issuing this AD to detect and correct lanyards that are too long, which might result in difficulties starting the flow of oxygen in an emergency.

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian AD CF-2017-22, dated June 23, 2017 (referred to after this as the Mandatory Continuing Airworthiness Information, or "the MCAI"), to correct an unsafe condition for certain Bombardier, Inc., Model BD-100-1A10 airplanes. The MCAI states:

Bombardier, Inc., has discovered that the entry area passenger oxygen mask lanyards are too long. Upon deployment during an emergency, this may result in difficulties to start the oxygen flow for tall individuals. This [Canadian] AD mandates the replacement of the existing entry area passenger oxygen mask lanyards with shorter ones for proper operation.

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-2017-1247.

##### Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments

received on the NPRM and the FAA's response to each comment.

#### Request To Match Compliance Time in the Service Information

Bombardier noted that the compliance time in paragraph (g) of the proposed AD was "Within 36 months after the effective date of this AD," whereas Bombardier Service Bulletin 100-35-08, dated April 11, 2017, includes a compliance time of within "36 months from this Service Bulletin release date (Basic Issue)". We infer that the commenter is requesting that the compliance time in paragraph (g) of the proposed AD be changed to match what is in the service information.

We do not agree with the commenter's request. In developing an appropriate compliance time for this AD, we considered the degree of urgency associated with addressing the unsafe condition and the manufacturer's recommendation for an appropriate compliance time, as well as the time required for the rulemaking process. In consideration of these factors, we find that the compliance time, as proposed, represents an appropriate interval in which to replace the affected oxygen mask lanyards, while still maintaining an adequate level of safety. Operators are always permitted to accomplish the requirements of an AD at a time earlier than the specified compliance time. We have not changed this AD regarding this issue.

#### Request To Correct Typographical Error

Bombardier requested that a part number in paragraph (g) of the proposed AD be corrected. Paragraph (g) of the proposed AD specified the replacement of lanyards having a certain part number with new lanyards having part number P/N 289-65-10. The correct part number for the new lanyards is P/N 289-165-10.

We agree with the commenter's request and have revised paragraph (g) of this AD to include the correct part number for the new lanyards, P/N 289-165-10, which is specified in Bombardier Service Bulletin 100-35-08, dated April 11, 2017.

#### Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this AD with the changes described previously and 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.

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

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

Bombardier has issued Service Bulletin 100-35-08, dated April 11, 2017. This service information describes procedures for replacing the lanyards in the passenger oxygen masks located in the passenger entry area. 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.

**Costs of Compliance**

We estimate that this AD affects 187 airplanes of U.S. registry. We estimate the following costs to comply with this AD:

**ESTIMATED COSTS FOR REQUIRED ACTIONS**

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour × \$85 per hour = \$85 .....	(1)	\$85	\$15,895

<sup>1</sup> We have received no definitive data that will enable us to provide cost estimates for the required parts.

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 available 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 transport category airplanes to the Director of the System Oversight 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 that this AD:

- Is not a “significant regulatory action” under Executive Order 12866,
- Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),
- Will not affect intrastate aviation in Alaska, and
- 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):

**2018-13-04 Bombardier, Inc.** Amendment 39-19316; Docket No. FAA-2017-1247; Product Identifier 2017-NM-085-AD.

**(a) Effective Date**

This AD is effective July 25, 2018.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Bombardier, Inc., Model BD-100-1A10 airplanes, certificated in any category, serial numbers 20003 through 20424 inclusive and 20426 through 20500 inclusive.

**(d) Subject**

Air Transport Association (ATA) of America Code 35, Oxygen.

**(e) Reason**

This AD was prompted by a report indicating that certain lanyards for the passenger oxygen masks located in the airplane’s entry area are too long. The length of the oxygen mask lanyard might cause the safety pin tethered to the opposite end of the lanyard to remain engaged in the oxygen flow mechanism when the mask is pulled to the passenger’s face. We are issuing this AD to detect and correct lanyards that are too long, which might result in difficulties starting the flow of oxygen in an emergency.

**(f) Compliance**

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

**(g) Lanyard Replacement**

Within 36 months after the effective date of this AD: For any entry area passenger oxygen mask dispensing unit (POMDU) having part number (P/N) 833-830-01, replace the lanyards in the POMDU with new lanyards having P/N 289-165-10, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 100-35-08, dated April 11, 2017.

**(h) Other FAA AD Provisions**

The following provisions also apply to this AD:

- (1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York 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 ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone: 516-228-7300; fax: 516-794-5531. 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.

(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, New York ACO Branch, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

#### (i) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian AD CF-2017-22, dated June 23, 2017, for related information. This MCAI may be found in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-1247.

(2) For more information about this AD, contact Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone: 516-228-7318; fax: 516-794-5531.

#### (j) 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) Bombardier Service Bulletin 100-35-08, dated April 11, 2017.

(ii) Reserved.

(3) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone: 514-855-5000; fax: 514-855-7401; email: [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); internet: <http://www.bombardier.com>.

(4) You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

(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>.

Issued in Des Moines, Washington, on June 8, 2018.

**Michael Kaszycki,**

*Acting Director, System Oversight Division, Aircraft Certification Service.*

[FR Doc. 2018-13125 Filed 6-19-18; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2018-0597]

#### Safety Zones; Recurring Events in Captain of the Port Duluth Zone—Duluth Fourth Fest Fireworks

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the safety zone for the Duluth Fourth Fest in Duluth, MN from 9:30 p.m. through 11:30 p.m. on July 4, 2018, with a rain date of 9:30 p.m. through 11:30 p.m. on July 5, 2018. This action is necessary to protect participants and spectators during the Duluth Fourth Fest Fireworks. During the enforcement period, entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth or their designated on-scene representative.

**DATES:** The regulations in 33 CFR 165.943(b) will be enforced from 9:30 p.m. through 11:30 p.m. on July 4, 2018, with a rain date of 9:30 p.m. through 11:30 p.m. on July 5, 2018, for the Duluth Fourth Fest Fireworks safety zone, § 165.943(a)(3).

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this document, call or email LT John Mack, Chief of Waterways Management, Coast Guard; telephone (218)725-3818, email [DuluthWWM@uscg.mil](mailto:DuluthWWM@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone for the annual Duluth Fourth Fest Fireworks in 33 CFR 165.943(a)(3) from 9:30 p.m. through 11:30 p.m. on July 4, 2018, with a rain date of 9:30 p.m. through 11:30 p.m. on July 5, 2018, on all waters of Duluth Harbor bounded by the arc of a circle with a 900-foot radius from the fireworks launch site with its center in position 46°46'14" N, 092°06'16" W.

The regulations for safety zones within the Captain of the Port Duluth § 165.943(b), apply for these fireworks displays. Entry into, transiting, or

anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth or their designated on-scene representative. The Captain of the Port's designated on-scene representative may be contacted via VHF Channel 16.

This document is issued under authority of 33 CFR 165.943 and 5 U.S.C. 552(a). In addition to this publication in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of the enforcement of this safety zone via Broadcast Notice to Mariners. The Captain of the Port Duluth or their on-scene representative may be contacted via VHF Channel 16.

Dated: June 14, 2018.

**E.E. Williams,**

*Commander, U.S. Coast Guard, Captain of the Port Duluth.*

[FR Doc. 2018-13240 Filed 6-19-18; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2018-0549]

#### Safety Zones; Annual Events in the Captain of the Port Buffalo Zone—July Fireworks

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce certain safety zones located in federal regulations for recurring marine events. This action is necessary and intended for the safety of life and property on navigable waters during these events. During each enforcement period, no person or vessel may enter the respective safety zone without the permission of the Captain of the Port Buffalo.

**DATES:** The regulations in 33 CFR 165.939(a)(8) will be enforced from 9:30 p.m. to 10:30 p.m. on July 3, 2018. The regulations in 33 CFR 165.939(a)(14) will be enforced from 9:30 p.m. to 10:30 p.m. on July 3, 2018. The regulations in 33 CFR 165.939(a)(18) will be enforced from 9:30 p.m. to 10:00 p.m. on July 4, 2018. The regulation in 33 CFR 165.939(a)(21) will be enforced from 9:30 p.m. to 10:15 p.m. on July 1, 2018. The regulation in 33 CFR 165.939(a)(23) will be enforced from 8:30 p.m. to 9:30 p.m. on July 3, 2018. The regulation in 33 CFR 165.939(a)(25) will be enforced