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**Scott A. Horn,**

*Deputy Director for Regulatory Operations, Compliance & Airworthiness Division, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2018-0800; Product Identifier 2018-NM-107-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus SAS Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all Airbus SAS Model A330-223F and Model A330-243F airplanes. This proposed AD was prompted by a report of cracking at fastener holes located at a certain frame on the lower shell panel junction. This proposed AD would require repetitive special detailed inspections (rototest) of certain fastener holes located at the lower shell junction of a certain frame on both left-hand (LH) and right-hand (RH) sides, and applicable related investigative and corrective actions. We are proposing this AD to address the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by November 5, 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:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Airbus SAS, Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36

96; fax +33 5 61 93 45 80; email [airworthiness.A330-A340@airbus.com](mailto:airworthiness.A330-A340@airbus.com); internet <http://www.airbus.com>. 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.

#### 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-2018-0800; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the regulatory evaluation, any comments received, and other information. The street address for 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:

Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3229.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2018-0800; Product Identifier 2018-NM-107-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. We will consider all comments received by the closing date and may amend this NPRM 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 NPRM.

#### Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2018-0146, dated July 12, 2018 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Airbus SAS Model A330-223F and Model A330-243F airplanes. The MCAI states:

During embodiment of a frame (FR) 40 web repair on an A330 aeroplane, and during keel beam replacement on an A340 aeroplane, cracks were found on both left hand (LH) and right hand (RH) sides on internal strap, butt strap, keel beam fitting, or forward fitting FR40 flange.

This condition, if not detected and corrected, could affect the structural integrity of the centre fuselage of the aeroplane.

Prompted by these findings, Airbus issued SB A330-53-3215, providing inspection instructions, and EASA issued AD 2014-0136 and, subsequently, AD 2017-0063 [which corresponds to FAA AD 2018-12-08, Amendment 39-19312 (83 FR 33821, July 18, 2018)] to require repetitive special detailed inspection (SDI), (rototest), of 10 fastener holes located at the FR40 lower shell panel junction on both LH and RH sides and, depending on findings, accomplishment of applicable corrective action(s).

After those ADs were issued, it has been determined that A330 Freighter aeroplanes are also affected by this potential unsafe condition. Consequently, Airbus published SB [service bulletin] A330-53-3215 Revision 03 to expand the Effectivity of that SB to these aeroplanes.

For the reason described above, this AD requires repetitive SDI (rototest) of 10 fastener holes located at the FR40 lower shell panel junction on both LH and RH sides and, depending on findings, accomplishment of applicable corrective action(s) [which include oversizing, installing fasteners and repair; and accomplishment of applicable related investigative actions, which include a rototest inspection for cracking after oversizing].

The initial compliance time is 16,200 flight cycles or 48,800 flight hours, whichever occurs first since airplane first flight. The repetitive inspection interval is 13,700 flight cycles or 41,100 flight hours, whichever occurs first.

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-2018-0800.

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

Airbus SAS has issued Service Bulletin A330-53-3215, Revision 03, dated January 22, 2018. This service information describes procedures for repetitive rototest inspections of certain fastener holes, and related investigative and corrective actions if necessary. 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

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our

bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described

previously is likely to exist or develop on other products of the same type design.

#### Proposed Requirements of This NPRM

This proposed AD would require accomplishing the actions specified in

the service information described previously.

#### Costs of Compliance

We estimate that this proposed AD affects 5 airplanes of U.S. registry. We estimate the following costs to comply with this proposed AD:

#### ESTIMATED COSTS

| Labor cost                                          | Parts cost | Cost per product    | Cost on U.S. operators |
|-----------------------------------------------------|------------|---------------------|------------------------|
| Up to 42 work-hours × \$85 per hour = \$3,570 ..... | \$0        | Up to \$3,570 ..... | Up to \$17,850.        |

We estimate the following costs to do any necessary on-condition actions that would be required based on the results

of any required actions. We have no way of determining the number of aircraft

that might need these on-condition actions:

#### ESTIMATED COSTS OF ON-CONDITION ACTIONS

| Labor cost                                    | Parts cost | Cost per product |
|-----------------------------------------------|------------|------------------|
| 46 work-hours × \$85 per hour = \$3,910 ..... | \$3,690    | \$7,600          |

#### 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 proposed 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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 proposed regulation:

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.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### The Proposed Amendment

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

**Airbus SAS:** Docket No. FAA-2018-0800; Product Identifier 2018-NM-107-AD.

#### (a) Comments Due Date

We must receive comments by November 5, 2018.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to the airplanes, certificated in any category, identified in paragraphs (c)(1) and (c)(2) of this AD; all manufacturer serial numbers.

(1) Airbus SAS Model A330-223F airplanes.

(2) Airbus SAS Model A330-243F airplanes.

#### (d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

#### (e) Reason

This AD was prompted by a report of cracking on both left-hand (LH) and right-hand (RH) sides on the internal strap, butt strap, keel beam fitting, or forward fitting frame (FR) 40 flange. We are issuing this AD to address cracking at FR40 on the lower shell panel junction; such cracking could

lead to reduced structural integrity of the fuselage.

#### (f) Compliance

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

#### (g) Compliance Times for the Actions Required by Paragraph (h) of This AD

Accomplish the actions required by paragraph (h) of this AD before exceeding the compliance time “threshold” defined in paragraph 1.E., “Compliance,” of Airbus Service Bulletin A330–53–3215, Revision 03, dated January 22, 2018 (“A330–53–3215, R3”), depending on airplane utilization and configuration and to be counted from airplane first flight, and, thereafter, at intervals not to exceed the compliance times defined in paragraph 1.E., “Compliance,” of A330–53–3215, R3, depending on airplane utilization and configuration.

#### (h) Repetitive Inspections and Related Investigative and Corrective Actions

At the applicable compliance times specified in paragraph (g) of this AD: Accomplish a special detailed inspection of the 10 fastener holes located at FR40 lower shell panel junction on both LH and RH sides, in accordance with the Accomplishment Instructions of A330–53–3215, R3.

(1) If, during any inspection required by the introductory text of paragraph (h) of this AD, any crack is detected, before further flight, accomplish all applicable related investigative and corrective actions, in accordance with the Accomplishment Instructions of A330–53–3215, R3, except where A330–53–3215, R3 specifies to contact Airbus for repair instructions, and specifies that action as Required for Compliance (RC), this AD requires repair before further flight using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or European Aviation Safety Agency (EASA); or Airbus SAS’s EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(2) If, during any inspection required by the introductory text of paragraph (h) of this AD, the diameter of a fastener hole is found to be outside the tolerances of the transition fit as specified in A330–53–3215, R3, as applicable; and A330–53–3215, R3; specifies to contact Airbus for repair instructions, and specifies that action as “RC,” before further flight, repair using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or EASA; or Airbus SAS’s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) Accomplishment of corrective actions, as required by paragraph (h)(1) of this AD, does not constitute terminating action for the repetitive inspections required by the introductory text of paragraph (h) of this AD.

(4) Accomplishment of a repair on an airplane, as required by paragraph (h)(2) of this AD, does not constitute terminating action for the repetitive inspections required by the introductory text of paragraph (h) of this AD for that airplane, unless the method

approved by the Manager, International Section, Transport Standards Branch, FAA; or EASA; or Airbus SAS’s EASA DOA indicates otherwise.

#### (i) No Reporting Requirement

Although A330–53–3215, R3, specifies to submit certain information to the manufacturer, and specifies that action as RC, this AD does not include that requirement.

#### (j) Credit for Previous Actions

This paragraph provides credit for the inspections required by the introductory text of paragraph (h) of this AD and the related investigative and corrective actions required by paragraph (h)(1) of this AD, if those actions were performed before the effective date of this AD, using Airbus Service Bulletin A330–53–3215, dated June 21, 2013; or Revision 01, dated April 17, 2014; or Revision 02, dated November 23, 2016.

#### (k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Section, Transport Standards 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 International Section, send it to the attention of the person identified in paragraph (l)(2) of this AD. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@faa.gov). 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*: As of the effective date of this AD, 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, International Section, Transport Standards Branch, FAA; or EASA; or Airbus SAS’s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC)*: Except as specified by paragraphs (g), (h)(1), (h)(2), and (i) of this AD: If any service information contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator’s maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

#### (l) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA AD

2018–0146, dated July 12, 2018, 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–2018–0800.

(2) For more information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax: 206–231–3229.

Issued in Des Moines, Washington, on September 11, 2018.

**Michael Kaszycki,**

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

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

### 33 CFR Part 165

[Docket Number USCG–2018–0371]

RIN 1625–AA00

### Safety Zone; Penn’s Landing Fireworks, Delaware River, Philadelphia PA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to amend the existing recurring fireworks safety zone on the Delaware River adjacent to Penn’s Landing in Philadelphia, Pennsylvania. The amendment would allow the Coast Guard to enforce the safety zone at this location throughout the entire year. The Coast Guard would notify the public of upcoming enforcement of the zone through publication of a Notice of Enforcement in the **Federal Register** and Broadcast Notice to Mariners. This change would expedite public notification of events at the location and ensure the protection of the maritime public and event participants from the hazards associated with fireworks displays in the Delaware River adjacent to Penn’s Landing. We invite your comments on this proposed rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before October 22, 2018.

**ADDRESSES:** You may submit comments identified by docket number USCG–2018–0371 using the Federal eRulemaking Portal at <http://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for