

Proposed Rules

Federal Register

Vol. 88, No. 227

Tuesday, November 28, 2023

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2023-1211; Project Identifier MCAI-2022-01598-E]

RIN 2120-AA64

Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM); withdrawal.

SUMMARY: The FAA is withdrawing a notice of proposed rulemaking (NPRM) that proposed to adopt a new airworthiness directive (AD) that would have applied to all Rolls-Royce Deutschland Ltd & Co KG (RRD) Model BR700-715A1-30, BR700-715B1-30, and BR700-715C1-30 engines. The NPRM would have required repetitive fluorescent penetrant inspections (FPIs) of the front flange scallops of the LPC booster rotor for any cracks, replacement or repair of the LPC booster rotor if necessary and, as an optional terminating action to the repetitive FPIs, a visual inspection for malformed scallop edge geometry and malformed surface conditions, as specified in a European Union Aviation Safety Agency (EASA) AD. Since the NPRM was issued, the FAA issued AD 2023-17-11, which addresses the unsafe condition identified in the NPRM. Accordingly, the NPRM is withdrawn.

DATES: As of November 28, 2023, the proposed rule which was published in the **Federal Register** on June 14, 2023 (88 FR 38762), is withdrawn.

ADDRESSES:

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2023-1211; 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, this AD action (withdrawal), the mandatory continuing

airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is 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:

Sungmo Cho, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (781) 238-7241; email: Sungmo.D.Cho@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

EASA, which is the Technical Agent for the Member States of the European Union, had issued EASA AD 2022-0252 dated December 16, 2022 (later revised to EASA AD 2022-0252R1, dated April 28, 2023 (EASA AD 2022-0252R1)) to correct an unsafe condition for all RRD Model BR700-715A1-30, BR700-715B1-30, and BR700-715C1-30 engines. EASA later issued EASA AD 2023-0152, dated July 25, 2023 (EASA AD 2023-0152) (also referred to as the MCAI), which supersedes EASA AD 2022-0252R1.

The FAA issued an NPRM that proposed to amend 14 CFR part 39 by adding an AD for all RRD Model BR700-715A1-30, BR700-715B1-30, and BR700-715C1-30 engines, which was published in the **Federal Register** on June 14, 2023 (88 FR 38762). The NPRM was prompted by EASA AD 2022-0252, which stated that occurrences have been reported of finding malformed scallop edge geometry and surface conditions at the front flange scallops of certain LPC booster rotors. The NPRM proposed to require repetitive FPIs of the front flange scallops of the LPC booster rotor for any cracks, replacement, or repair of the LPC booster rotor if necessary and, as an optional terminating action to the repetitive FPIs, a visual inspection for malformed scallop edge geometry and malformed surface conditions.

Actions Since the NPRM Was Issued

Since the NPRM was issued, the FAA has reviewed the MCAI, which supersedes EASA AD 2022-0252R1. The MCAI discusses the reported occurrences of finding malformed scallop edge geometry and surface conditions at the front flange of scallops of certain LPC booster rotors, which

were also discussed in EASA AD 2022-0252R1. The MCAI includes both more restrictive compliance times for certain engines and extended compliance times for certain other engines. The MCAI also refers to the updated service information referenced by the commenters, specifies repetitive FPIs of the front flange scallops of the LPC booster rotor for any cracks, replacement or repair of the LPC booster rotor if necessary and, as an optional terminating action to the repetitive FPIs, a visual inspection for malformed scallop edge geometry and malformed surface conditions.

Additionally, the FAA received comments on the NPRM from four commenters. Commenters included Hawaiian Airlines (Hawaiian), Delta Air Lines (Delta), The Boeing Company, and Air Line Pilots Association, International (ALPA). Boeing and ALPA supported the NPRM without change. However, comments from Hawaiian and Delta identified concerns with the NPRM. These comments requested a revision to the NPRM to refer to the updated manufacturer service information and the inclusion of suitable materials required to perform the required actions.

Consequently, the FAA issued AD 2023-17-11, Amendment 39-22537 (88 FR 60566, September 5, 2023), which was prompted by EASA AD 2023-0152. AD 2023-17-11 incorporates the specifications of EASA AD 2023-0152 to correct an unsafe condition for all RRD Model BR700-715A1-30, BR700-715B1-30, and BR700-715C1-30 engines; refers to the revised service information (which addresses the concerns of both Delta and Hawaiian commenters); addresses the unsafe condition and negates the need for this proposed AD.

FAA's Determination

The FAA has determined that the proposed AD is not necessary to address the identified safety concern. Accordingly, the NPRM is withdrawn.

Regulatory Findings

Since this action only withdraws an NPRM, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

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

The Withdrawal

■ Accordingly, the notice of proposed rulemaking, Docket No. FAA–2023–1211; Project Identifier MCAI–2022–01598–E, which was published in the **Federal Register** on June 14, 2023 (88 FR 38762), is withdrawn.

Issued on November 20, 2023.

Ross Landes,

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

[FR Doc. 2023–26090 Filed 11–27–23; 8:45 am]

BILLING CODE 4910–13–P

PEACE CORPS**22 CFR Part 303**

RIN 0420–AA31

Procedures for Disclosure of Information Under the Freedom of Information Act

AGENCY: The Peace Corps.

ACTION: Proposed rule.

SUMMARY: This proposed rule amends the regulations that the Peace Corps follows in processing requests under the Freedom of Information Act (FOIA) to comply with the FOIA Improvement Act of 2016. The amendments would clarify and update procedures for requesting information from the Peace Corps and procedures that the Peace Corps follows in responding to requests from the public.

DATES: Comments must be received by December 28, 2023.

ADDRESSES: You may send comments, identified by Regulatory Information Number (RIN) 0420–AA31, by any of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for sending comments.

- *Email:* policy@peacecorps.gov. Include RIN 0420–AA31 in the subject line of the message.

- *Mail:* The Peace Corps/The Office of the General Counsel/1275 First Street NE/Washington, DC 20526.

Instructions: All submissions received must include the receiving agency's name, which is the Peace Corps, designate the Office of the General Counsel, and note the RIN for this rulemaking.

FOR FURTHER INFORMATION CONTACT: David van Hoogstraten, Supervisory

Associate General Counsel at (202) 692–2150 or dvanhoogstraten@peacecorps.gov.

SUPPLEMENTARY INFORMATION: On June 30, 2016, President Obama signed into law the FOIA Improvement Act of 2016, Public Law 114–185, 130 Stat. 538 (the Act). The Act specifically requires all agencies to review and update their FOIA regulations in accordance with its provisions, and the Peace Corps is making changes to its regulations accordingly. Among other requirements, the Act addresses a range of procedural issues that affect Peace Corps FOIA regulations, including requirements that agencies establish a minimum of 90 days for requesters to file an administrative appeal and that agencies provide notice to requesters of dispute resolution services at various times throughout the FOIA process. The proposed rule would revise and update policies and procedures concerning the Peace Corps FOIA process, which were last published in the **Federal Register** (FR) on April 10, 2014 (79 FR 19816), entered into effect on May 12, 2014, and currently appear at 22 CFR part 303.

Request for Comments: The Peace Corps invites public comment on all aspects of this proposed rule and will take those comments into account before publishing a final rule. The proposed rule makes small adjustments for clarification, rearranges and redesignates sections in a more logical order, streamlines the language of some procedural provisions, and makes the following key changes:

22 CFR Part 303

(1) *Definitions.* Section 303.2 is expanded to revise current definitions and add definitions for the following terms: “Compelling need,” “Confidential commercial information,” “Direct costs,” “Unusual circumstances,” and “Initial denial authority (IDA).”

(2) *Public reading room.* Section 303.5 is revised to delete reference to a physical public reading room and to provide for a public electronic FOIA Library on the Peace Corps website on which certain specified records will be made available. Also, related to this change, the former § 303.6 (*Procedures for use of public reading room.*) is deleted.

(3) *Requests for records.* This section, the former § 303.8, has been redesignated as § 303.7 and is updated to provide revised procedures for the following paragraphs:

- (b) through (d) Submitting a FOIA request;
- (f) Requesting a waiver or reduction of fees;

- (h) Initial response/delays to FOIA requests;
- (j) Giving notice of delays; and
- (l) Requesting expedited processing and appeals from denials of requests for expedited processing.

(4) *Timing of responses to requests.* A new § 303.8 sets forth guidelines and procedures for:

(a) Order of response to FOIA requests;

(b) Multitrack processing;

(c) Delays in responses due to unusual circumstances and notice of such delays and of the availability of both the FOIA Public Liaison and the dispute resolution services provided for by the Office of Government Information Services (OGIS);

(d) Aggregating requests; and

(e) Expedited processing.

(5) *Exemptions for withholding records.* A revised § 303.9 provides that the deliberative process privilege shall not apply to records created 25 years or more before the date on which the records were requested.

(6) *Responses to requests.* A new § 303.11 sets forth guidelines and procedures for:

(a) Electronic communication with requesters;

(b) Acknowledgement of requests that will take longer than 10 working days to process;

(c) Estimated dates of completion and interim responses;

(d) The granting of requests;

(e) Adverse determination of requests;

(f) Markings on released documents;

and

(g) Use of records exclusions.

(7) *Appeals.* A renumbered § 303.13, formerly § 303.12, is updated to set forth revised guidelines and procedures for:

(a) Submitting appeals;

(b) Adjudication of appeals;

(c) Decisions on appeals;

(d) Engaging in dispute resolution services offered by OGIS; and

(e) When an appeal is required.

(8) *Confidential commercial information.* A new § 303.14 sets forth guidelines and procedures for:

(a) Designation of confidential commercial information;

(b) When notice to submitters is required;

(c) Exceptions to submitter notice requirements;

(d) Opportunity to object to disclosure;

(e) Analysis of objections;

(f) Notice of intent to disclose;

(g) Notice of FOIA lawsuit; and

(h) Requester notification.

(9) *Preservation of records.* A new § 303.15 sets forth guidelines and procedures for preserving records