

Proposed Rules

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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 21

[Docket No. FAA-2024-1794]

Draft Policy Statement on Special Class Rotorcraft

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of availability; request for comments.

SUMMARY: The FAA invites public comment on the agency's draft policy statement PS-AIR-21.17-02, "Special Class Rotorcraft." This proposed policy would identify certain rotorcraft as special class.

DATES: Comments must be received on or before September 9, 2024.

ADDRESSES: Send comments identified with "PS-AIR-21.17-02" and docket number FAA-2024-1794 using any of the following methods:

- *Federal eRulemaking Portal:* Go to www.regulations.gov and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at 202-493-2251.

Privacy: The FAA will post all comments received without change to www.regulations.gov, including any personal information the commenter provides. DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477-19478), as well as at DocketsInfo.dot.gov.

FOR FURTHER INFORMATION CONTACT:

James Blyn, Product Policy Management: Airplanes, GA, Emerging Aircraft, and Rotorcraft AIR-62B, Policy and Standards Division, Aircraft Certification Service, Federal Aviation Administration, 10101 Hillwood Pkwy., Fort Worth, Texas 76177; telephone (817) 222-5762; email james.blyn@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

Advancements in technology have resulted in the development of electrically powered rotorcraft with more than two main rotor systems. Although these aircraft are rotorcraft as defined in 14 CFR part 1, the FAA has found that they are not typical of the rotorcraft designs utilizing main and auxiliary rotors envisaged by the rotorcraft airworthiness standards in 14 CFR parts 27 and 29.

Rotorcraft type-certificated in the normal and transport categories under parts 27 and 29, respectively, have primarily been helicopters that use a single main rotor and an anti-torque rotor or two main rotors to provide lift and thrust for horizontal flight. Helicopters create lift by changing the pitch of the main rotor blades and move into horizontal flight by varying the pitch of the main rotor blades throughout their rotation.

Over the past few years, the FAA has been working with potential applicants on certification projects for normal category rotorcraft designs that create lift and thrust by using multiple (three or more) rotor systems. Instead of varying the pitch of the rotor blade throughout its rotation, these aircraft create directional control for horizontal movement by varying the power at each rotor. These aircraft also rely on electric or hybrid-electric propulsion and not (or not only) a traditional internal combustion engine. Additionally, they employ advanced flight control system designs, such as fly-by-wire, that are highly integrated with the electric propulsion system. These designs provide extensive flight envelop protection and introduce high levels of automation.

During these projects, the FAA has found that existing type certification criteria do not accommodate or apply to these rotorcraft. For example, only 60 percent of the requirements in part 27

may be appropriate for these designs. Some of the remaining requirements are not applicable and would need exemptions from the regulatory requirements. For other requirements, due to the novel and unusual design, applicants would need special conditions to modify the existing standards. Furthermore, additional airworthiness criteria, for which there are no standards in part 27, would require special conditions to provide an appropriate safety standard to address the novel and unusual design features.

The FAA amended 14 CFR part 21 at amendment 21-60 to add procedural requirements for the issuance of type certificates for special classes of aircraft in § 21.17(b). In the Final Rule, the FAA explained that it intended the special class category to include, in part, those aircraft that would not be eligible for certification under existing standards due to their unique, novel, or unusual design features. The FAA further stated that the "decision to type certificate an aircraft in either the special class aircraft category or under part 23 of the [CFR] is entirely dependent upon the aircraft's unique, novel, and/or unusual design features." (52 FR 8040, March 13, 1987).

The rotorcraft described in the paragraphs above have those unique, novel, or unusual design features the special class category was designed to accommodate. Type certificating these rotorcraft under part 27 or 29 with exemptions and special conditions would be a lengthy administrative process. The resulting certification basis will likely contain a portion of the existing airworthiness standards combined with a significant number of special conditions containing unique airworthiness criteria. Moreover, the special class process provides the public greater visibility of the complete certification basis. The level of safety provided by the certification basis would be the same under either process.

Accordingly, the FAA has determined that special class rotorcraft as defined in this policy are sufficiently different from the normal and transport category rotorcraft envisaged by parts 27 and 29, respectively, to be considered a "special class" of rotorcraft under § 21.17(b). This finding is consistent with the definition of "class" in part 1 as used with respect to the certification of aircraft. The FAA has concluded that

designating these rotorcraft as a special class under § 21.17(b) would provide a more practical means of type certification and is in the public interest. Additionally, an applicant for a special class rotorcraft may use propellers in place of rotors for the rotorcraft's lift and directional control.

Comments Invited

The FAA invites the public to submit comments on the draft policy statement, as specified in the **ADDRESSES** section. Commenters should include the subject line "PS-AIR-21.17-02" and the docket number FAA-2024-1794 on all comments submitted to the FAA. The most helpful comments will reference a specific portion of the draft document, explain the reasons for any recommended change, and include supporting data. The FAA will consider all comments received on or before the closing date before issuing the final policy statement. The FAA will also consider comments filed late if it is possible to do so without incurring expense or delay.

You may examine the draft advisory circular on the agency's public website and in the docket as follows:

- At <http://www.regulations.gov> in Docket Number FAA-2024-1794.
- At http://www.faa.gov/aircraft/draft_docs/.

Issued in Kansas City, Missouri, on June 26, 2024.

Patrick Mullen,

Manager, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service.

[FR Doc. 2024-14489 Filed 7-10-24; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R01-OAR-2024-0255; FRL-12071-01-R1]

Air Plan Approval; New Hampshire; Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve most of a State Implementation Plan (SIP) revision submitted by the State of New Hampshire. This revision updates the State regulation containing ambient air quality standards. EPA is proposing to approve all the State's updated standards, except the primary annual fine particle (PM_{2.5}) standard, which we

propose to conditionally approve because it does not match EPA's current National Ambient Air Quality Standard for PM_{2.5}. This action is being taken under the Clean Air Act (CAA).

DATES: Written comments must be received on or before August 12, 2024.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R01-OAR-2024-0255 at <https://www.regulations.gov>, or via email to Alison Simcox at simcox.alison@epa.gov. For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. Publicly available docket materials are available at <https://www.regulations.gov> or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that, if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

FOR FURTHER INFORMATION CONTACT:

Alison C. Simcox, Air Quality Branch, Air and Radiation Division (Mail Code 5-MD), U.S. Environmental Protection Agency, Region 1, 5 Post Office Square, Suite 100, Boston, Massachusetts 02109-3912, telephone number: (617) 918-1684; email address: simcox.alison@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document whenever

"we," "us," or "our" is used, we mean EPA.

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I. Background and Purpose

On December 22, 2022, New Hampshire Department of Environmental Services (NH DES) submitted to EPA a SIP revision updating its Env-A 300, "Ambient Air Quality Standards". The State revised this regulation to incorporate into its SIP revised National Ambient Air Quality Standards (NAAQS).

In its December 2022 SIP submittal, NH DES adopted the following:

- (1) Coarse fine particle (PM₁₀) primary (health-based) and secondary (welfare-based) 24-hour standards of 150 micrograms per cubic meter (µg/m³),
 - (2) Fine particle (PM_{2.5}) primary annual standard of 12 µg/m³,
 - (3) PM_{2.5} secondary annual standard of 15 µg/m³,
 - (4) PM_{2.5} primary and secondary 24-hour standards of 35 µg/m³,
 - (5) Sulfur dioxide (SO₂) primary 1-hour standard of 75 parts per billion (ppb),
 - (6) SO₂ secondary 3-hour standard of 0.5 parts per million (ppm),
 - (7) CO primary 8-hour standard of 9 ppm,
 - (8) CO primary 1-hour standard of 35 ppm,
 - (9) Nitrogen Dioxide (NO₂) primary annual of 53 ppb,
 - (10) NO₂ primary 1-hour standard of 100 ppb,
 - (11) NO₂ secondary annual standard of 0.053 ppm (equivalent to 100 µg/m³),
 - (12) Ozone primary and secondary 8-hour standard of 0.070 ppm,
 - (13) Lead primary and secondary rolling 3-month standard of 0.15 µg/m³.
- New Hampshire's Env-A 300, "Ambient Air Quality Standards," was originally approved into the New Hampshire SIP on March 15, 1983 (48 FR 10830). Updates to the rule were approved into the New Hampshire SIP on August 19, 1994 (59 FR 42766) and on June 24, 2014 (79 FR 35695).

II. Evaluation of New Hampshire's Submittal

EPA has reviewed New Hampshire's revised Env-A 300 and has determined that it is consistent with the NAAQS in 40 CFR part 50 for all standards except the PM_{2.5} primary annual standard. On March 6, 2024, EPA strengthened the PM_{2.5} primary annual standard to 9.0 µg/m³ (89 FR 16202).