

proposed AD to U.S. operators to be \$2,110,295.

### 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.

### 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 to the extent that it justifies making a regulatory distinction, 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):

**General Electric Company:** Docket No. FAA-2015-4344; Directorate Identifier 2015-NE-32-AD.

#### (a) Comments Due Date

We must receive comments by February 5, 2016.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to all General Electric Company (GE) CF6-80C2 and CF6-80E1 turbofan engines.

#### (d) Unsafe Condition

This AD was prompted by reports of a burn-through of the accessory heat shield during an accessory compartment fire leading to an engine fire. We are issuing this AD to prevent high-temperature gas ingestion into the accessory compartment, engine fire, and damage to the airplane.

#### (e) Compliance

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

(1) For CF6-80C2 engines, at the next engine shop visit after the effective date of this AD, remove from service the accessory heat shield assembly. Use Table 1 of GE Service Bulletin (SB) No. CF6-80C2 S/B 72-1520, dated September 22, 2015 to identify the part numbers (P/Ns) that require removal from service. Install an accessory heat shield assembly eligible for installation.

(2) For CF6-80E1 engines, at the next engine shop visit after the effective date of this AD, remove from service the accessory heat shield assembly. Use Table 1 of GE SB No. CF6-80E1 S/B 72-0525, dated September 22, 2015 to identify the P/Ns that require removal from service. Install an accessory heat shield assembly eligible for installation.

#### (f) Installation Prohibition

After the effective date of this AD, do not install any accessory heat shield assembly with a P/N listed in Table 1 of GE SB No. CF6-80C2 S/B 72-1520, dated September 22, 2015 or Table 1 of GE SB No. CF6-80E1 S/B 72-0525, dated September 22, 2015, into any engine.

#### (g) Definition

For the purpose of this AD, an engine shop visit is defined as the induction of an engine into the shop for maintenance involving the separation of pairs of major mating engine flanges, except that the separation of engine flanges solely for the purposes of transportation without subsequent engine

maintenance does not constitute an engine shop visit.

#### (h) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, FAA, may approve AMOCs to this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: [ANE-AD-AMOC@faa.gov](mailto:ANE-AD-AMOC@faa.gov).

#### (i) Related Information

(1) For more information about this AD, contact Herman Mak, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781-238-7147; fax: 781-238-7199; email: [herman.mak@faa.gov](mailto:herman.mak@faa.gov).

(2) GE SB No. CF6-80C2 S/B 72-1520, dated September 22, 2015; GE SB No. CF6-80C2 S/B 72-1523, dated September 22, 2015; and GE SB No. CF6-80E1 S/B 72-0525, dated September 22, 2015 can be obtained from GE using the contact information in paragraph (i)(3) of this proposed AD.

(3) For service information identified in this proposed AD, contact General Electric Company, GE Aviation, Room 285, 1 Neumann Way, Cincinnati, OH 45215; phone: 513-552-3272; email: [aviation.fleetsupport@ge.com](mailto:aviation.fleetsupport@ge.com).

(4) You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

Issued in Burlington, Massachusetts, on November 25, 2015.

**Colleen M. D'Alessandro,**

*Directorate Manager, Engine & Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 2015-30716 Filed 12-4-15; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 14 CFR Part 382

[Docket No. DOT-OST-2015-0246]

RIN 2105-AE12

### Nondiscrimination on the Basis of Disability in Air Travel; Consideration of Negotiated Rulemaking Process

**AGENCY:** Office of the Secretary, Department of Transportation.

**ACTION:** Notice of intent.

**SUMMARY:** The Department of Transportation ("Department" or "DOT") announces that it is exploring the feasibility of conducting a negotiated rulemaking (Reg Neg) concerning accommodations for air travelers with disabilities addressing inflight entertainment, supplemental medical oxygen, service animals, accessible lavatories on single-aisle

aircraft, seating accommodations, and carrier reporting of disability service requests. The Department has hired a convener to speak with interested parties about the feasibility of conducting this Reg Neg. The Department anticipates that the interested parties may include disability advocacy organizations, airlines, airports, airline vendors providing wheelchair assistance, aircraft manufacturers, IFE system manufacturers, movie studios, other IFE content providers, service animal training organizations, and other Federal agencies that have a regulatory interest in these issues such as the Department of Justice, the Federal Communications Commission, and the United States Access Board.

**DATES:** Please submit your comments no later than January 6, 2016.

**ADDRESSES:** You may submit comments identified by docket number DOT-OST-2015-0246 using any one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>.
- *Fax:* 202-493-2251.
- *Mail:* Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Ave. SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about the regulatory negotiation, you may contact Kathleen Blank Riether, Senior Attorney, Office of the Aviation Enforcement and Proceedings, U.S. Department of Transportation, by email at [kathleen.blankriether@dot.gov](mailto:kathleen.blankriether@dot.gov) or by telephone at 202-366-9342. To obtain a copy of this notice in an accessible format, you may also contact Kathleen Blank Riether.

**SUPPLEMENTARY INFORMATION:** Congress enacted the Air Carrier Access Act (ACAA) in 1986. It prohibited discrimination in airline service on the basis of disability by U.S. air carriers. In 1990, following a lengthy rulemaking process that included a regulatory negotiation involving representatives of the airline industry and disability community, the Department issued a final ACAA rule. In 2000, Congress amended the ACAA to specifically include foreign air carriers. The ACAA now prohibits U.S. and foreign air carriers from discriminating against individuals on the basis of disability in air travel. In 2008, the Department revised its disability regulation to, among other things, apply its rule to foreign carriers and add new protections for passengers who use portable oxygen concentrators and passengers who are

deaf or hard of hearing. See 73 FR 27614 (May 13, 2008), effective May 13, 2009.

In the preamble to the 2008 final rule, the Department explained that it had deferred final decisions regarding a number of proposed requirements and expressed its intent to issue a Supplemental Notice of Proposed Rulemaking (SNPRM) seeking additional public input on carrier-supplied in-flight medical oxygen, transport of service animals, in-flight entertainment, and accessible kiosks and Web sites. The Department also announced its intent to carefully monitor ongoing developments with respect to lavatory accessibility on single aisle aircraft during longer flights to determine if a future rulemaking proposal may be warranted. See 73 FR 27614 (May 13, 2008). In September 2011, the Department issued an SNPRM on airline Web sites and automated airport kiosks. See 76 FR 59307 (September 26, 2011). The proceeding culminated in a final rule mandating that airline Web sites and automated airport kiosks be accessible by specific dates. See 78 FR 67882 (November 12, 2013). The Department is now planning to address in-flight medical oxygen, transport of service animals and in-flight entertainment.

Additionally, since the issuance of the 2008 final rule, the Department has become aware of other difficulties individuals with disabilities are having in accessing the air travel system. For example, airlines and disability organizations<sup>1</sup> have raised concerns with the Department of passengers falsely claiming that their pets are service animals. These groups have also pointed out the inconsistency between the Department of Justice definition of a service animal and the Department of Transportation's definition of a service animal. Separately, the Department has noted the industry trend toward greater use of single aisle aircraft that are not equipped with accessible lavatories on medium and long haul flights. The disability community has also expressed distress that single aisle aircraft are increasingly used by airlines for longer flights but lack accessible lavatories. Issues have also been raised about whether premium economy is a different class of service from standard economy as airlines are required to provide seating accommodations to passengers with disabilities within the same class of service. Extra legroom is a standard feature of premium economy, with some carriers providing premium

economy passengers amenities in addition to the standard economy class services. Various disability organizations have reported to the Department that their members are unable to obtain bulkhead seating while traveling with a service animal as the bulkhead seats are now primarily located in what has been designated by airlines as the premium economy section. The Department has also received a petition for rulemaking to modify the existing seating accommodations requirement for passengers who need extra legroom.<sup>2</sup>

The Department is exploring the feasibility of conducting a negotiated rulemaking on the remaining issues that it deferred final action on in its 2008 final rule as well as the issues described above that have arisen since its 2008 final rule. Specifically, the Department is exploring a Reg Neg to:

- Ensure that the same in-flight entertainment (IFE) available to all passengers is accessible to passengers with disabilities;
- Provide individuals dependent on in-flight medical oxygen greater access to air travel consistent with Federal safety and security requirements;
- Determine the appropriate definition of a service animal;
- Establish safeguards to reduce the likelihood that passengers wishing to travel with their pets will be able to falsely claim that their pets are service animals;
- Address the feasibility of accessible lavatories on new single aisle aircraft;
- Address whether premium economy is a different class of service from standard economy as airlines are required to provide seating accommodations to passengers with disabilities within the same class of service; and
- Require airlines to report annually to the Department the number of requests for disability assistance they receive and the time period within which wheelchair assistance is provided to passengers with disabilities.

In a Reg Neg, an agency invites representatives of interested parties likely to be significantly affected by a regulation to work with each other and the agency on an advisory committee to seek to reach consensus recommendations on the appropriate resolution of the issues before the committee. If a consensus is reached, the Department will issue a proposed rule consistent with that consensus for

<sup>1</sup> See DOT-OST-2009-0093-0001, Psychiatric Service Dog Society Petition for Rulemaking (April 13, 2009).

<sup>2</sup> See DOT-OST-2012-0030, In Re Petition for Rule Change of Title 14 CFR 382.81(d) Pertaining to Disabled Seating Accommodations (February 7, 2012).

public comment under established rulemaking procedures. The Department believes this cooperative problem-solving approach should be given serious consideration. To do so, the Department must determine, among other statutorily-mandated considerations, whether an appropriate advisory committee can be assembled that will fairly represent all affected interests, negotiate in good faith, and offer a reasonable likelihood of reaching a consensus on the issues.

The Department has retained a neutral convener, Mr. Richard Parker from the University of Connecticut School of Law, to undertake the initial stage in the Reg Neg process and assist the agency in making this threshold determination. Mr. Parker's credentials have been placed in docket DOT-OST-2015-0246. The neutral convener will interview representatives of affected interests, including but not limited to, disability advocacy groups, airlines, and manufacturers of aircraft cabin facilities and equipment and determine whether other interest groups should be included. The convener will examine the potential for adequate and balanced representation of the varied interests on an advisory committee convened to negotiate the regulation and/or to reach consensus on specific issues. Based on these interviews, the convener will submit a written report of findings and recommendations to the Department, and the final report will be available to the public. The convener's report will provide a basis for the Department to decide whether to proceed with a Reg Neg, and, if so, to determine the scope of the issues the committee will address. In the alternative, the Department may also decide to forgo a Reg Neg and proceed with a traditional notice-and-comment rulemaking.

The convener's activities are subject to the confidentiality provisions of the Administrative Dispute Resolution Act, 5 U.S.C. 574. The Federal Government will make no claim to the convener's notes, memoranda, or recollections or to documents provided to the convener in confidence in the course of the convening process. The convener will not interpret Department policy, make decisions on items of policy, regulation, or statute, or take a stand on the merits of substantive matters under discussion.

The Department will provide any comments it receives in response to this notice to the convener and will file the comments in docket DOT-OST-2015-0246. Should the Department decide to proceed with a Reg Neg process, the Agency will follow the procedures set forth in the Negotiated Rulemaking Act of 1996, 5 U.S.C. 561 *et seq.* This would

include the publication of a notice of intent to solicit comment on membership and to invite interested persons to apply for nomination to the committee. It also includes the establishment of an advisory committee under the Federal Advisory Committee Act (5 U.S.C. Appendix 2).

Issued under the authority of delegation in 49 CFR 1.27.

Dated: November 30, 2015.

**Kathryn B. Thomson,**  
General Counsel.

[FR Doc. 2015-30764 Filed 12-4-15; 8:45 am]

**BILLING CODE 4910-9X-P**

## CONSUMER PRODUCT SAFETY COMMISSION

### 16 CFR Chapter II

[Docket No. CPSC-2015-0022]

#### Petition Requesting Rulemaking on Products Containing Organohalogen Flame Retardants; Notice of Opportunity for Oral Presentation of Comments

**AGENCY:** U.S. Consumer Product Safety Commission.

**ACTION:** Notice of opportunity to present oral comments remotely.

**SUMMARY:** The United States Consumer Product Safety Commission ("Commission" or "CPSC") on October 26, 2015 published a notice announcing that, on December 9, 2015, there will be an opportunity for interested persons to present oral comments on a petition received for rulemaking under the Federal Hazardous Substances Act ("FHSA") regarding additive organohalogen flame retardants. The Commission also will provide for presentations to be made remotely.

**DATES:** The meeting for interested persons to present oral comments on the petition will begin at 10 a.m. on December 9, 2015, at 4330 East West Highway, Bethesda, MD 20814. Requests to make oral presentations and the written text of any oral presentations must be received by the Office of the Secretary not later than 12 noon Eastern Standard Time (EST) on December 4, 2015.

**ADDRESSES:** You may submit comments, identified by Docket No. CPSC-2015-0022, by any of the following methods:

*Electronic Submissions:* Submit electronic comments to the Federal eRulemaking Portal at: <http://www.regulations.gov>. Follow the instructions for submitting comments. The Commission does not accept

comments submitted by electronic mail (email), except through [www.regulations.gov](http://www.regulations.gov). The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

*Written Submissions:* Submit written submissions by mail/hand delivery/courier to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

*Instructions:* All submissions received must include the agency name and docket number for this proposed rulemaking. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: <http://www.regulations.gov>. Do not submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If furnished at all, such information should be submitted in writing.

*Docket:* For access to the docket to read background documents or comments received, go to: <http://www.regulations.gov>, and insert the docket number, CPSC-2015-0022, into the "Search" box, and follow the prompts. A copy of the petition is available at: <http://www.regulations.gov>, under Docket No. CPSC-2015-0022, Supporting and Related Materials.

**FOR FURTHER INFORMATION CONTACT:** Rockelle Hammond, Office of the Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

On July 1, 2015, the Commission received a petition requesting that the Commission initiate rulemaking under the FHSA to declare several categories of products containing additive organohalogen flame retardants to be "banned hazardous substances." The petition was filed by Earthjustice and the Consumer Federation of America, which are joined by American Academy of Pediatrics, American Medical Women's Association, Consumers Union, Green Science Policy Institute, International Association of Fire Fighters, Kids in Danger, Philip Landrigan, M.D., M.P.H., League of United Latin American Citizens, Learning Disabilities Association of America, and Worksafe.