

members. Finally, the rule was made available through the internet by USDA and the Office of the Federal Register. A 60-day comment period ending November 16, 2016, was provided to allow interested persons to respond to the proposal.

Two comments were received in support of the proposal. Therefore, no changes have been made to the proposed amendment as a result of the comments received.

### Findings and Conclusions

The findings and conclusions and general findings and determinations included in the proposed rule set forth in the September 16, 2016, issue of the **Federal Register** are hereby approved and adopted.

### Marketing Order

Annexed hereto and made a part hereof is the document entitled "Order Amending the Order Regulating the Handling of Walnuts Grown in California." This document has been decided upon as the detailed and appropriate means of effectuating the foregoing findings and conclusions. It is hereby ordered, that this entire rule be published in the **Federal Register**.

### Referendum Order

It is hereby directed that a referendum be conducted in accordance with the procedure for the conduct of referenda (7 CFR part 900.400–407) to determine whether the annexed order amending the order regulating the handling of Walnuts Grown in California is approved by growers, as defined under the terms of the order, who during a representative period were engaged in the production of walnuts in the production area.

The representative period for the conduct of such referendum is hereby determined to be September 1, 2015, through August 31, 2016.

The agents of the Secretary to conduct such referendum are designated to be Terry Vawter and Jeffrey Smutny, California Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA; Telephone: (559) 487–5901, or Email: [Terry.Vawter@ams.usda.gov](mailto:Terry.Vawter@ams.usda.gov) or [Jeffrey.Smutny@ams.usda.gov](mailto:Jeffrey.Smutny@ams.usda.gov), respectively.

### List of Subjects in 7 CFR Part 984

Walnuts, Marketing agreements, Reporting and recordkeeping requirements.

Dated: May 19, 2017.

**Bruce Summers,**

*Acting Administrator, Agricultural Marketing Service.*

### Order Amending the Order Regulating the Handling of Walnuts Grown in California<sup>1</sup>

#### Findings and Determinations

The findings hereinafter set forth are supplementary to the findings and determinations which were previously made in connection with the issuance of the marketing order; and all said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

1. The marketing order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof, would tend to effectuate the declared policy of the Act;

2. The marketing order, as amended, and as hereby proposed to be further amended, regulates the handling of walnuts grown in California in the same manner as, and are applicable only to, persons in the respective classes of commercial and industrial activity specified in the marketing order;

3. The marketing order, as amended, and as hereby proposed to be further amended, is limited in application to the smallest regional production area which is practicable, consistent with carrying out the declared policy of the Act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the Act;

4. The marketing order, as amended, and as hereby proposed to be further amended, prescribe, insofar as practicable, such different terms applicable to different parts of the production area as are necessary to give due recognition to the differences in the production and marketing of walnuts produced in the production area; and

5. All handling of walnuts produced in the production area as defined in the marketing order is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

#### Order Relative to Handling

*It is therefore ordered,* that on and after the effective date hereof, all handling of walnuts grown in California

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

shall be in conformity to, and in compliance with, the terms and conditions of the said order as hereby proposed to be amended as follows:

The provisions of the proposed marketing order amending the order contained in the proposed rule issued by the Administrator on September 12, 2016, and published in the **Federal Register** (81 FR 63721) on September 16, 2016, will be and are the terms and provisions of this order amending the order and are set forth in full herein.

### PART 984—WALNUTS GROWN IN CALIFORNIA

■ 1. The authority citation for 7 CFR part 984 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

■ 2. Amend 984.69 by redesignating paragraph (d) as (e) and adding a new paragraph (d) to read as follows:

#### § 984.69 Assessments.

\* \* \* \* \*

(d) To provide funds for the administration of the provisions of this part during the part of a fiscal period when neither sufficient operating reserve funds nor sufficient revenue from assessments on the current season's certifications are available, the Board may accept payment of assessments in advance or may borrow money from a commercial lending institution for such purposes.

\* \* \* \* \*

[FR Doc. 2017–10676 Filed 5–25–17; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2017–0140; Directorate Identifier 2017–NE–05–AD]

RIN 2120–AA64

#### Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbofan Engines

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for certain Rolls-Royce Deutschland Ltd & Co KG (RRD) model Tay 620–15 turbofan engines. This proposed AD was prompted by RRD recalculating the life limit for certain high-pressure compressor (HPC) stage 12 rotor disks.

This proposed AD would require reducing the maximum approved life limit. We are proposing this AD to correct the unsafe condition on these products.

**DATES:** We must receive comments on this NPRM by July 10, 2017.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* 202-493-2251.

For service information identified in this proposed AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11-15827 Dahlewitz, Blankenfelde-Mahlow, Germany; phone: +49 0 33-7086-1944; fax: +49 0 33-7086-3276. You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781-238-7125.

**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-2017-0140; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Robert Green, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7754; fax: 781-238-7199; email: [robert.green@faa.gov](mailto:robert.green@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2017-0140; Directorate Identifier 2017-NE-05-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD 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 with FAA personnel concerning this proposed AD.

**Discussion**

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD 2017-0010, dated January 16, 2017 (referred to hereinafter as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

Based on revised stress analysis and life calculation, Rolls-Royce Deutschland (RRD) determined new provisional life limits for HPC stage 12 rotor disc Part Number (P/N) JR18449, reducing the maximum approved life limit defined in the Tay 620-15 and Tay 620-15/20 engine Time Limits Manual (TLM), Chapter 05-10-01, Task 05-10-01-800-000, currently at revision dated 15 September 2014. Failure to replace a HPC stage 12 rotor disc P/N JR18449, before exceeding the thresholds defined by this AD,

could lead to an uncontained HPC stage 12 rotor disc failure, possibly resulting in damage to, and/or reduced control of, the aeroplane.

You may obtain further information by examining the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0140.

**Related Service Information**

RRD has issued Alert Non-Modification Service Bulletin (NMSB) TAY-72-A1813, dated October 11, 2016. The Alert NMSB provides instructions to determine or re-calculate the consumed and remaining service life. 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 and Requirements of This Proposed AD**

This product has been approved by the aviation authority of Germany, and is approved for operation in the United States. Pursuant to our bilateral agreement with the European Community, EASA has notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design. This proposed AD would require reducing the maximum approved life limit for HPC stage 12 rotor disk, part number JR18449.

**Costs of Compliance**

We estimate that this proposed AD affects 25 engines installed on airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

**ESTIMATED COSTS**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Pro-rated life .....	1 work-hour × \$85 per hour = \$85 .....	\$3,858	\$3,943	\$98,575

**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):

**Rolls-Royce Deutschland Ltd & Co KG:**  
 Docket No. FAA-2017-0140; Directorate Identifier 2017-NE-05-AD.

**(a) Comments Due Date**

We must receive comments by July 10, 2017.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Rolls-Royce Deutschland Ltd & Co KG (RRD) model Tay 620-15 turbofan engines with high-pressure compressor (HPC) modules M03100AA, or M03100AB, or M03100AC and HPC stage 12 rotor disk part number (P/N) JR18449 installed.

**(d) Subject**

Joint Aircraft System Component (JASC) 7230, Turbine Engine Compressor Section.

**(e) Reason**

This AD was prompted by RRD recalculating the life limit for HPC stage 12 rotor disk P/N JR18449. We are issuing this AD to prevent failure of the HPC stage 12 rotor disk, uncontained HPC stage 12 rotor disk release, damage to the engine, and damage to the airplane.

**(f) Compliance**

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

**(g) Required Actions**

(1) Within 30 days after the effective date of this AD, determine whether the HPC stage 12 rotor disk has operated in both flight profiles A and B. If the rotor disk was operated, or is operating, in both flight profiles A and B, re-calculate the consumed cyclic life using 16,700 flight cycles (FC) as the maximum approved life limit for flight profile B.

(2) After the effective date of this AD, the maximum approved life limit for affected rotor disks operating in flight profile B is 16,700 FC. Calculate the consumed cyclic life accumulated since new using 16,700 FC as the maximum approved life limit for flight profile B.

(3) For those engines operating in flight profile B with an HPC stage 12 rotor disk P/N JR18449 installed, that do not have an engine shop visit after the effective date of this AD before the re-calculated consumed cyclic life of the HPC stage 12 disk exceeds 16,700 FC, remove the affected rotor disk from service before the re-calculated consumed cyclic life exceeds the threshold(s) defined in Figure 1 to paragraph (g) of this AD.

FIGURE 1 TO PARAGRAPH (g)—REMOVE AFFECTED ROTOR DISKS FROM SERVICE

Recalculated consumed cyclic life on the effective date of this AD	Remove affected rotor disks from service
(i) less than 15,700 FC .....	Before exceeding 16,700 FC since new Either: (A) Within 1,000 FC or 19 months after the effective date of this AD, whichever occurs first; or (B) Before exceeding 16,700 FC since new, whichever occurs later.
(ii) 15,700 FC or more, but less than 16,700 FC .....	
(iii) 16,700 FC or more .....	Either: (A) Within 1,000 FC after the effective date of this AD, or (B) Before exceeding 20,000 FC since new, or (C) Within 19 months after the effective date of this AD, whichever occurs first.

**(h) Installation Prohibition**

After the effective date of this AD, installation of a serviceable spare engine or release to service of an engine after any shop visit, is allowed, provided the installed HPC stage 12 rotor disk, P/N JR18449, is a serviceable part.

**(i) Definition**

For the purpose of this AD, a serviceable part is an HPC stage 12 rotor disk, P/N JR18449, that has not exceeded 20,500 FC for flight profile A or 16,700 FC for flight profile B, as applicable to engine operation.

**(j) Alternative Methods of Compliance (AMOCs)**

The Manager, Engine Certification Office, FAA, may approve AMOCs for 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.

**(k) Related Information**

(1) For more information about this AD, contact Robert Green, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-

7754; fax: 781-238-7199; email: Robert.Green@faa.gov.

(2) Refer to MCAI European Aviation Safety Agency (EASA), AD 2017-0010, dated January 16, 2017, for more information. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating it in Docket No. FAA-2017-0140.

(3) RRD Alert Non-Modification Service Bulletin (NMSB) TAY-72-A1813, dated October 11, 2016, can be obtained from RRD, using the contact information in paragraph (k)(4) of this proposed AD.

(4) For service information identified in this proposed AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11–15827 Dahlewitz, Blankenfelde-Mahlow, Germany; phone: +49 0 33–7086–1944; fax: +49 0 33–7086–3276.

(5) You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on May 3, 2017.

**Robert J. Ganley,**

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

[FR Doc. 2017–10439 Filed 5–25–17; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2017–0439; Directorate Identifier 2017–CE–010–AD]

RIN 2120–AA64

#### **Airworthiness Directives; B/E Aerospace Protective Breathing Equipment Part Number 119003–11 and Part Number 119003–21**

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

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

**SUMMARY:** We propose to supersede Airworthiness Directive (AD) 2016–11–20, which applies to certain B/E Aerospace protective breathing equipment (PBE) that is installed on airplanes. AD 2016–11–20 requires replacing part number (P/N) 119003–11 PBE units. Since we issued AD 2016–11–20, we received a report that PBE units, P/N 119003–21, within a certain serial number range are made with candle tube material determined to have a low yield strength and may be volatile upon use or disposal. This proposed AD would retain the actions required in AD 2016–11–20 and would require inspecting and replacing P/N 119003–11 and 119003–21 PBE units. We are proposing this AD to correct the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by July 10, 2017.

**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 B/E Aerospace, Inc., Commercial Aircraft Products Group, 10800 Pflumm Road, Lenexa, Kansas 66215; phone: (913) 338–9800; fax: (913) 338–8419; Internet:

[www.beaerospace.com](http://www.beaerospace.com). You may view this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

#### **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–2017–0439; 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 proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### **FOR FURTHER INFORMATION CONTACT:**

David Enns, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 S. Airport Road, Room 100, Wichita, Kansas 67209; phone: (316) 946–4147; fax: (316) 946–4107; email: [david.enns@faa.gov](mailto:david.enns@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA–2017–0439; Directorate Identifier 2017–CE–010–AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD 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 proposed AD.

#### **Discussion**

On May 25, 2016, we issued AD 2016–11–20, Amendment 39–18547 (81 FR 37492, June 10, 2016), (“AD 2016–11–20”), for B/E Aerospace Protective Breathing Equipment (PBE), part number (P/N) 119003–11, that is installed on airplanes. AD 2016–11–20 requires replacing all PBE, P/N 119003–11, with PBE, P/N 119003–21. AD 2016–11–20 resulted from a report of a PBE unit, P/N 119003–11, catching fire upon activation by a crewmember. We issued AD 2016–11–20 to correct the unsafe condition on these products.

#### **Actions Since AD 2016–11–20 Was Issued**

Since we issued AD 2016–11–20, we received a report that a mechanic incurred a minor injury when he activated the affected PBE unit as part of the disposal process. The igniter candle in the PBE supplies the user with oxygen during the first 20 seconds after activation. For PBE units with a serial number within the serial number range identified in this proposed AD, the candle tube material was determined to have a low yield strength. This can result in inadequate retention of the end fitting during activation, and the candle may eject from the PBE as a high speed projectile.

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

We reviewed B/E Aerospace Service Bulletin No. 119003–35–011, Rev. 000, dated February 4, 2015; Service Bulletin 119003–35–009, Rev. 001, dated April 12, 2016; and Service Bulletin No. 119003–35–013, Rev. 001, dated February 24, 2017. B/E Aerospace Service Bulletin No. 119003–35–011, Rev. 000, dated February 4, 2015, describes procedures for inspecting PBE, P/N 119003–11, to determine if the vacuum seal of the pouch containing the PBE is compromised; B/E Aerospace Service Bulletin No. 119003–35–009, Rev. 001, dated April 12, 2016, describes procedures for replacing PBE, P/N 119003–11 with P/N 119003–21; and B/E Aerospace Service Bulletin No. 119003–35–013, Rev. 001, dated February 24, 2017, describes procedures for inspecting PBE P/N 119003–21 to determine the serial number and replacing any within the specified serial number range. This service information is reasonably available because the interested parties have access to it through their normal course of business