

instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

#### List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

#### The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Embraer S.A. Model ERJ 190–300 airplane.

#### Non-Rechargeable Lithium Battery Installations

In lieu of § 25.1353(b)(1) through (4) at Amendment 25–123 or § 25.1353(c)(1) through (4) at earlier amendments, each non-rechargeable lithium battery installation must:

1. Be designed to maintain safe cell temperatures and pressures under all foreseeable operating conditions to prevent fire and explosion.
2. Be designed to prevent the occurrence of self-sustaining, uncontrollable increases in temperature or pressure.
3. Not emit explosive or toxic gases, either in normal operation or as a result of its failure, that may accumulate in hazardous quantities within the airplane.
4. Meet the requirements of § 25.863.
5. Not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.
6. Have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells.
7. Have a failure sensing and warning system to alert the flightcrew if its failure affects safe operation of the airplane.

8. Have a means for the flightcrew or maintenance personnel to determine the battery charge state if the battery's function is required for safe operation of the airplane.

**Note:** A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging. For the purpose of these special conditions, a "battery" and "battery system" are referred to as a battery.

Issued in Renton, Washington, on May 23, 2017.

**Michael Kaszycki,**

*Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2017–11159 Filed 5–30–17; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 29

[Docket No. FAA–2016–6940; Notice No. 29–039–SC]

#### Special Conditions: Bell Helicopter Textron, Inc. (BHTI), Model 525 Helicopters; Crew Alerting System (CAS)

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final special conditions; correction.

**SUMMARY:** The FAA is correcting the special condition published on November 9, 2016 which became effective on December 9, 2016 for the BHTI Model 525 helicopter. This helicopter has a novel or unusual design feature associated with the electronic CAS. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. The special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** *Effective Date:* May 31, 2017.

**FOR FURTHER INFORMATION CONTACT:** George Harrum, Aviation Safety Engineer, Regulations and Policy Group, Rotorcraft Directorate, FAA, 10101 Hillwood Pkwy, Fort Worth, TX 76177; telephone (817) 222–5110; email [George.Harrum@faa.gov](mailto:George.Harrum@faa.gov).

**SUPPLEMENTARY INFORMATION:**

#### Background

On November 9, 2016, the FAA published a final special condition entitled "Special Condition: Bell Helicopter Textron, Inc. (BHTI), Model 525 Helicopters; Crew Alerting System (CAS)." 81 FR 78707. In that final special condition, the FAA inadvertently used the incorrect format for the notice number in the header information of the special condition as 29–039–SW–SC. The correct notice number is 29–039–SC.

#### Correction

In the final special condition, FR Doc. 2019–27088, published on November 9, 2016 at 81 FR 78707 make the following correction:

1. On page 78707, in column one, in the heading of the final special condition, revise "Notice No. 29–039–SW–SC" to read as "Notice No. 29–039–SC".

Issued in Fort Worth, Texas, on May 19, 2017.

**Lance Gant,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 2017–11070 Filed 5–30–17; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2017–0506; Directorate Identifier 2017–CE–019–AD; Amendment 39–18907; AD 2017–11–08]

**RIN 2120–AA64**

#### Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes

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

**ACTION:** Final rule; request for comments

**SUMMARY:** We are adopting a new airworthiness directive (AD) for Diamond Aircraft Industries GmbH Model DA 42 airplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as failure of the propeller regulating valve caused by hot exhaust gases coming from fractured engine exhaust pipes. We are issuing this AD to require actions to address the unsafe condition on these products.

**DATES:** This AD is effective May 31, 2017.