

to the airplane, and possible injury to people on the ground.

#### (f) Compliance

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

#### (g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Aviation Safety Agency (EASA) AD 2018–0148R1, dated April 5, 2019 (“EASA AD 2018–0148R1”).

#### (h) Exceptions to EASA AD 2018–0148R1

(1) For purposes of determining compliance with the requirements of this AD: Where EASA AD 2018–0148R1 refers to its effective date, or July 27, 2018 (the effective date of EASA AD 2018–0148, dated July 13, 2018), this AD requires using the effective date of this AD.

(2) The “Remarks” section of EASA AD 2018–0148R1 does not apply to this AD.

#### (i) No Reporting Requirement

Although the service information referenced in EASA AD 2018–0148R1 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

#### (j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Section, Transport Standards Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Section, send it to the attention of the person identified in paragraph (k)(2) of this AD. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov*. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Section,

Transport Standards Branch, FAA; or EASA; or Airbus SAS’s EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC)*: For any service information referenced in EASA AD 2018–0148R1 that contains RC procedures and tests: Except as required by paragraph (j)(2) of this AD, RC procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator’s maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

#### (k) Related Information

(1) For information about EASA AD 2018–0148R1, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 6017; email *ADs@easa.europa.eu*; Internet *www.easa.europa.eu*. You may find this EASA AD on the EASA website at *https://ad.easa.europa.eu*. You may view this EASA AD at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. EASA AD 2018–0148R1 may be found in the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2019–0485.

(2) For more information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3229.

Issued in Des Moines, Washington, on June 18, 2019.

**Michael Kaszycki,**

*Acting Director, System Oversight Division, Aircraft Certification Service.*

[FR Doc. 2019–13421 Filed 6–25–19; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2019–0484; Product Identifier 2019–NM–065–AD]

RIN 2120–AA64

#### Airworthiness Directives; Airbus SAS Airplanes

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

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus SAS Model A330–200, A330–200 Freighter, A330–300, A340–200, A340–300, A340–500, and A340–600 series airplanes. This proposed AD was prompted by a report that an airplane failed to extend its nose landing gear (NLG) using the free fall method, due to loss of the green hydraulic system. This proposed AD would require repetitive tests of affected free fall actuators (FFA), and replacement of any affected FFA that fails a test with a serviceable FFA; as specified in a European Aviation Safety Agency (EASA) AD, which will be incorporated by reference. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by August 12, 2019

**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 the material identified in this proposed AD that will be incorporated by reference (IBR), contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 89990 1000; email: *ADs@easa.europa.eu*; internet: *www.easa.europa.eu*. You may find this IBR material on the EASA website at *https://ad.easa.europa.eu*. You may view this IBR material at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For

information on the availability of this material at the FAA, call 206–231–3195. It is also available in the AD docket on the internet at <http://www.regulations.gov>.

**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–2019–0484; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206–231–3229.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA–2019–0484; Product Identifier 2019–NM–065–AD” at the beginning of your comments. The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. The FAA will consider all comments received by the closing date and may amend this NPRM based on those comments.

The FAA will post all comments, without change, to <http://www.regulations.gov>, including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact the agency receives about this NPRM.

**Discussion**

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2019–0063, dated March 26, 2019

(“EASA AD 2019–0063”) (also referred to as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Airbus SAS Model A330–200, A330–200 Freighter, A330–300, A340–200, A340–300, A340–500, and A340–600 series airplanes. The MCAI states:

An A330 aeroplane failed to extend its NLG by free fall method, prompted by the loss of the green hydraulic system. Investigation results revealed that the NLG FFA [part number] P/N AR02404 has been identified as the root cause, the magnets on this actuator having been found detached on both electrical motors. Further investigation conducted with the FFA manufacturer has identified a potential similar issue on specific FFA with the same P/N, manufactured in 2001 and 2002. Units manufactured in other years are still being investigated. These affected FFA can also be fitted on [main landing gear] MLG (on A330 and A340 aeroplanes) and [center landing gear] CLG (on A340–500/600 aeroplanes only) of the aeroplane.

This condition, if not detected and corrected, could prevent LG [landing gear] extension by free fall method, possibly resulting in loss of control of the aeroplane after landing, with consequent damage to the aeroplane and injury to occupants.

To address this potential unsafe condition, Airbus issued the AOT [Alert Operators Transmission A32L012–18] to provide instructions to inspect and test the affected FFA.

For the reasons described above, this [EASA] AD requires repetitive testing of each affected FFA, and, depending on findings, replacement with a serviceable FFA.

This [EASA] AD is considered to be an interim action and further [EASA] AD action may follow.

**Related IBR Material Under 1 CFR part 51**

EASA AD 2019–0063 describes procedures for repetitive tests of affected FFAs and replacement of any affected FFA that fails a test with a serviceable FFA. EASA AD 2019–0063 also describes procedures for an optional terminating action (replacement of all affected FFAs), which would terminate the repetitive tests. This material 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 another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI referenced above. The FAA is proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

**Proposed Requirements of This NPRM**

This proposed AD would require accomplishing the actions specified in EASA AD 2019–0063 described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD.

**Explanation of Required Compliance Information**

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA worked with Airbus and EASA to develop a process to use certain EASA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. As a result, EASA AD 2019–0063 will be incorporated by reference in the FAA final rule. This proposed AD would, therefore, require compliance with the provisions specified in EASA AD 2019–0063, through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Service information specified in EASA AD 2019–0063 that is required for compliance with EASA AD 2019–0063 will be available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2019–0484 after the FAA final rule is published.

**Costs of Compliance**

The FAA estimates that this proposed AD affects 107 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

**ESTIMATED COSTS FOR REQUIRED ACTIONS**

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
2 work-hours × \$85 per hour = \$170 .....	\$0	\$170	\$18,190

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on

the results of any required actions. The FAA has no way of determining the

number of aircraft that might need these on-condition actions:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

	Labor cost	Parts cost	Cost per product
2 work-hours × \$85 per hour = \$170 .....		\$0*	\$170

\*The FAA has received no definitive data that would enable us to provide parts cost estimates for the on-condition replacements specified in this proposed AD.

**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.

The FAA is 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.

This proposed AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes and associated appliances to the Director of the System Oversight Division.

**Regulatory Findings**

The FAA 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. Will not affect intrastate aviation in Alaska; and

- 3. 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):

**Airbus SAS:** Docket No. FAA–2019–0484; Product Identifier 2019–NM–065–AD.

**(a) Comments Due Date**

The FAA must receive comments by August 12, 2019.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to all Airbus SAS airplanes identified in paragraphs (c)(1) through (c)(7) of this AD, certificated in any category.

- (1) Model A330–201, –202, –203, –223, and –243 airplanes.
- (2) Model A330–223F and –243F airplanes.
- (3) Model A330–301, –302, –303, –321, –322, –323, –341, –342, and –343 airplanes.
- (4) Model A340–211, –212, –213 airplanes.
- (5) Model A340–311, –312, and –313 airplanes.
- (6) Model A340–541 airplanes.
- (7) Model A340–642 airplanes.

**(d) Subject**

Air Transport Association (ATA) of America Code 32, Landing gear.

**(e) Reason**

This AD was prompted by a report that an airplane failed to extend its nose landing gear (NLG) using the free fall method, due to the loss of the green hydraulic system. The FAA is issuing this AD to address detached magnets on both electrical motors of the free fall actuators (FFA) which could prevent landing gear extension by the free fall method, possibly resulting in loss of control of the airplane after landing.

**(f) Compliance**

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

**(g) Requirements**

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Aviation Safety Agency (EASA) AD 2019–0063, dated March 26, 2019 (“EASA AD 2019–0063”).

**(h) Exceptions to EASA AD 2019–0063**

(1) For purposes of determining compliance with the requirements of this AD: Where EASA AD 2019–0063 refers to its effective date, this AD requires using the effective date of this AD.

(2) The “Remarks” section of EASA AD 2019–0063 does not apply to this AD.

(3) Where EASA AD 2019–0063 specifies credit for certain tasks “provided the continuity test specified in AMM task A330–32–33–00–710–809, or AMM task A340–32–33–00–710–806, as applicable, is accomplished concurrently,” this AD provides credit “provided the continuity test is accomplished concurrently in accordance with the instructions of an FAA-approved maintenance or inspection program.”

**(i) No Reporting Requirement**

Although the service information referenced in EASA AD 2019–0063 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

**(j) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Section, Transport Standards Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District

Office, as appropriate. If sending information directly to the International Section, send it to the attention of the person identified in paragraph (k)(2) of this AD. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* For any service information referenced in EASA AD 2019-0063 that contains RC procedures and tests: Except as required by paragraph (j)(2) of this AD, RC procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

#### (k) Related Information

(1) For information about EASA AD 2019-0063, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 89990 6017; email: ADs@easa.europa.eu; Internet: [www.easa.europa.eu](http://www.easa.europa.eu). You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>. You may view this EASA AD at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. EASA AD 2019-0063 may be found in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0484.

(2) For more information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3229.

Issued in Des Moines, Washington, on June 18, 2019.

**Michael Kaszycki,**

*Acting Director, System Oversight Division, Aircraft Certification Service.*

[FR Doc. 2019-13422 Filed 6-25-19; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket Number USCG-2019-0431]

RIN 1625-AA08

#### Special Local Regulation; Roy Webster Cross Channel Swim, Columbia River, Cascade Locks, OR

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard is proposing to establish a temporary regulated area for certain waters of the Columbia River. This action is necessary to provide for the safety of participants and the maritime public during a cross-channel swim. This proposed rulemaking would prohibit non-participant persons and vessels from being in the regulated area unless authorized by the Captain of the Port Columbia River or a designated representative. We invite your comments on this proposed rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before July 26, 2019.

**ADDRESSES:** You may submit comments identified by docket number USCG-2019-0431 using the Federal eRulemaking Portal at <https://www.regulations.gov>. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email LCDR Dixon Whitley, Waterways Management Division, Marine Safety Unit Portland, Coast Guard; telephone 503-240-9319, email [msupdxwwm@uscg.mil](mailto:msupdxwwm@uscg.mil).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Table of Abbreviations**

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

##### **II. Background, Purpose, and Legal Basis**

The Roy Webster Cross-Channel Swim is an annual event that has been running for the last 74 years on the Columbia River in the vicinity of Hood River, OR occurring on or around Labor Day. Participants are ferried across the Columbia River from the Hood River

Marina to the Washington shore at the start of the event. Once on the other side, the participants jump off the ferry and swim back across the river following a swim lane that is lined with volunteers in sailboats, kayaks and paddleboards. Approximately 300 swimmers participate in this event annually. On April 4, 2019, the Hood River Chamber of Commerce notified the Coast Guard that it will be moving the swim location from Hood River, OR, to Cascade Locks, OR.

The purpose of this rulemaking is to relocate the regulated area from Hood River, OR to Cascade Locks, OR to ensure the safety of event participants, the marine environment and the protection of the navigable waterway during the scheduled event for 2019. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70041 (previously 33 U.S.C. 1231).

##### **III. Discussion of Proposed Rule**

The Thirteenth Coast Guard District Commander is proposing to establish a regulated area from 5:30 a.m. to noon on September 2, 2019. As the event consists of participants swimming across the navigable channel, the Coast Guard feels that it would be necessary to establish a regulated area that would cover all navigable waters of the Columbia River between river mile 149 and river mile 151 during the event.

Since 2017, a regulated area between River Mile 169 and River Mile 170 has been established for this event under 33 CFR 100.1302. Because the location of the event has been changed for 2019, we will not be enforcing the § 100.1302 regulations for the Roy Webster Cross Channel Swim event this year, and instead are issuing this notice of proposed rulemaking (NPRM) to establish a temporary rule for 2019.

This NPRM proposes to create a temporary regulated area in the vicinity of Cascade Locks, OR, rather than Hood River, OR, for this year's event in accordance with the request of the organizers. The regulatory text we are proposing appears at the end of this document.

##### **IV. Regulatory Analyses**

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders and we discuss First Amendment rights of protestors.

###### **A. Regulatory Planning and Review**

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory