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.

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

§ 39.13 [Amended]
1. The authority citation for part 39 continues to read as follows:

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

2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2018–05–09, Amendment 39–19218 (83 FR 10360, March 9, 2018), and adding the following new AD:


(a) Comments Due Date
The FAA must receive comments by December 21, 2020.

(b) Affected Airworthiness Directives (ADs)

(c) Applicability
This AD applies to all Airbus Helicopters Model AS332C, AS332C1, AS332L, AS332L1, and SA330) helicopters, certified in any category, all manufacturer serial numbers.

(d) Subject
Joint Aircraft System Component (JASC) Codes 6420, Tail Rotor Head; 6720, Tail Rotor Control System.

(e) Reason
This AD was prompted by a report of a damaged flapping hinge link (hinge) on a tail rotor (T/R) blade. The FAA is issuing this AD to address failure of a T/R flapping hinge. This condition could result in imbalance of the T/R, detachment of the T/R gearbox and hub, and subsequent loss of control of the helicopter.

(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 Union Aviation Safety Agency (EASA) AD 2020–0086, dated April 14, 2020 (EASA AD 2020–0086).

(h) Exceptions to EASA AD 2020–0086
(1) Where EASA AD 2020–0086 refers to its effective date, this AD requires using the effective date of this AD.
(2) The “Remarks” section of EASA AD 2020–0086 does not apply to this AD.
(3) Although the service information referenced in EASA AD 2020–0086 specifies to return affected parts and submit a form to the manufacturer, this AD does not include those requirements.
(4) Where paragraph (9) of EASA AD 2020–0086 refers to “any discrepancy,” for the purposes of this AD, discrepancies include spalling, brinelling, and cracking on the inner ring, and spalling on the bearing needles.
(5) Where EASA AD 2020–0086 refers to flight hours (FH), this AD requires using hours time-in-service.
(6) Where paragraph (1) of EASA AD 2020–0086 refers to a compliance time of “within 25 flight hours or during the next scheduled 50 FH inspection, whichever occurs later . . . ;” for the initial replacement, this AD requires completion within 25 hours time-in-service after the effective date of this AD.

(i) Alternative Methods of Compliance (AMOCs)
The Manager, Rotorcraft Standards Branch, FAA, may approve AMOCs for this AD. Send your proposal to: Manager, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone 817–222–5110; email 9–ASW–FTW–AMOC–Requests@faa.gov.

(j) Related Information
(1) For EASA AD 2020–0086, 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 material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room BN–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call 817–222–5110. This material may be found in the AD docket on the internet at https://www.regulations.gov by searching for and locating Docket No. FAA–2020–0983.
(2) For more information about this AD, contact Daniel E. Moore, Aviation Safety Engineer, Regulations & Policy Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Room B–321, Fort Worth, TX 76177; telephone 817–222–5110; email daniel.e.moore@faa.gov.

Issued on October 29, 2020.
Lance T. Gant,
Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2020–24394 Filed 11–3–20; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2020–0937; Airspace Docket No. 20–AEA–11]

RIN 2120–AA66

Proposed Amendment of the Class D and Class E Airspace and Establishment of Class E Airspace; Niagara Falls and Buffalo, NY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class D airspace and Class E airspace at Niagara Falls International Airport, Niagara Falls, NY, and amend and establish Class E airspace extending upward from 700 feet above the surface at Buffalo, NY. The FAA is proposing this action as the result of airspace
reviews due to new instrument procedures being implemented at Buffalo-Lancaster Regional Airport, Lancaster, NY. The names and geographic coordinates of airports and navigational aids would also be updated to coincide with the FAA’s aeronautical database.

DATES: Comments must be received on or before December 21, 2020.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone (202) 366–9826, or (800) 647–5527. You must identify FAA Docket No. FAA–2020–0937/Airspace Docket No. 20–AEA–11, at the beginning of your comments. You may also submit comments through the internet at https://www.regulations.gov. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. FAA Order 7400.11E, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11E at NARA, email fedreg.legal@nara.gov or go to https://www.archives.gov/federal-register/cfr/ibr-locations.html.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking
The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart 1, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class D airspace, Class E surface area, and Class E airspace extending upward from 700 feet above the surface at Niagara Falls International Airport, Niagara Falls, NY; amend the Class E airspace extending upward from 700 feet above the surface at Buffalo Niagara International Airport, Buffalo, NY, and Akron Airport/Jesson Field, Akron, NY, contained within the Buffalo, NY, airspace legal description; and establish Class E airspace extending upward from 700 feet above the surface at Buffalo-Lancaster Regional Airport, Lancaster, NY, which will be contained within the Buffalo, NY, airspace legal description, to support instrument flight rule operations at these airports.

Comments Invited
Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to Docket No. FAA–2020–0937/Airspace Docket No. 20–AEA–11.” The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs
An electronic copy of this document may be downloaded through the internet at https://www.regulations.gov. Recently published rulemaking documents can also be accessed through the FAA’s web page at https://www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the ADDRESSES section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents for Incorporation by Reference
This document proposes to amend FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal
The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 by:

1. Amending the Class D airspace to within a 4.6-mile (increased from a 4.5-mile) radius of Niagara Falls International Airport, Niagara Falls, NY; amending the extension to 1 mile (decreased from 1.8 miles) each side of the 090° bearing from the Niagara Falls Intl: RWY 28R–LOC (previously KATHI LOM) extending from the 4.6-mile radius of the airport to 4.8 miles east of the airport; and replacing the outdated term “Airport/Facility Directory” with “Chart Supplement”;

2. Amending the Class E surface area airspace to within a 4.6-mile (increased from a 4.5-mile) radius of Niagara Falls International Airport, Niagara Falls, NY; amending the extension to 1 mile (decreased from 1.8 miles) each side of the 090° bearing from the Niagara Falls Intl: RWY 28R–LOC (previously KATHI LOM) extending from the 4.6-mile radius of the airport to 4.8 miles east of the airport; and replacing the outdated term “Airport/Facility Directory” with “Chart Supplement”;

3. And amending the Class E airspace extending upward from 700 feet above the surface to within a 7.5-mile (increased from a 7.7-mile) radius of Buffalo Niagara International Airport, Buffalo, NY; removing the extensions
associated with Buffalo Niagara International Airport as they are no longer needed; updating the name and geographic coordinates of Buffalo Niagara International Airport (previously Greater Buffalo International Airport) to coincide with the FAA’s aeronautical database; removing the Buffalo VORTAC from the airspace legal description as it is no longer needed; removing “and within the arc of a 10.5-mile radius circle from 052° to 112° clockwise, centered on a point, lat. 42°56′26″ N, long. 78°44′10″ W” as it is no longer needed; amending the Class E airspace extending upward from 700 feet above the surface to within a 7.1-mile radius of Niagara Falls International Airport, contained within the Buffalo, NY, airspace legal description; amending the extension from Niagara Falls International Airport to within 8.2 miles north (increased from 7 miles) and 7 miles (increased from 5.2 miles) south of the 090° bearing from the KATHI NDB (previously Niagara Falls International Airport east localizer course) extending from the KATHI NDB (previously OM) to 16.8 miles (increased from 10.5 miles) east of the KATHI NDB (previously OM); removing the Niagara Falls International Airport East Localizer Course OM as it is no longer needed; amending the geographic coordinates of Niagara Falls International Airport to coincide with the FAA’s aeronautical database; amending the Class E airspace extending upward from 700 feet above the surface to within a 6.3-mile (decreased from a 6.4-mile) radius of Akron Airport/Jesson Field, Akron, NY, contained within the Buffalo, NY, airspace legal description; removing the extension associated with Akron Airport/Jesson Field as it is no longer needed; and updating the name and geographic coordinate of Akron Airport/Jesson Field (previously Akron Airport) to coincide with the FAA’s aeronautical database; amending Class E airspace legal description; amending Class E airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Buffalo-Lancaster Regional Airport, Lancaster, NY, which will be contained within the Buffalo, NY, airspace legal description. This action is the result of airspace reviews caused by the establishment of new instrument procedures at Buffalo-Lancaster Regional Airport.

Class D and E airspace designations are published in paragraph 5000, 6002, and 6005, respectively, of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR § 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order. The FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**Environmental Review**

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

The **Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

§ 71.1 [Amended]

1. The authority citation for 14 CFR part 71 continues to read as follows:


2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

   Paragraph 5000 Class D Airspace.

   * * * * *

   **AEA NY D Niagara Falls, NY [Amended]**

   Niagara Falls International Airport, NY (Lat. 43°06′27″ N, long. 78°56′45″ W)
   Niagara Falls Intl: RWY 28R–LOC.
   (Lat. 43°01′16″ N, long. 78°58′19″ W)

   That airspace extending upward from the surface to and including 3,100 feet MSL, within a 4.6-mile radius of Niagara Falls International Airport, and within 1 mile each side of the 090° bearing from the Niagara Falls Intl: RWY 28R–LOC extending from the 4.6-mile radius to 4.8 miles east of the airport, excluding the portion outside the United States and that airspace which coincides with the Buffalo, NY, Class C airspace. This Class D airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be published continuously in the Chart Supplement.

   Paragraph 6002 Class E Airspace Areas Designated as Surface Areas.

   * * * * *

   **AEA NY E2 Niagara Falls, NY [Amended]**

   Niagara Falls International Airport, NY (Lat. 43°06′27″ N, long. 78°56′45″ W)
   Niagara Falls Intl: RWY 28R–LOC.
   (Lat. 43°01′16″ N, long. 78°58′19″ W)

   That airspace extending upward from the surface within a 4.6-mile radius of Niagara Falls International Airport, and within 1 mile each side of the 090° bearing from the Niagara Falls Intl: RWY 28R–LOC extending from the 4.6-mile radius to 4.8 miles east of the airport, excluding the portion outside the United States and that airspace which coincides with the Buffalo, NY, Class C airspace. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be published continuously in the Chart Supplement.

   Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

   * * * * *

   **AEA NY E5 Buffalo, NY [Amended]**

   Buffalo Niagara International Airport, NY (Lat. 42°56′26″ N, long. 78°43′50″ W)
   Niagara Falls International Airport, NY (Lat. 43°06′27″ N, long. 78°56′45″ W)
   KATHI NDB
   (Lat. 43°06′33″ N, long. 78°50′19″ W)
   Akron Airport/Jesson Field, NY (Lat. 43°01′16″ N, long. 78°28′57″ W)
   Buffalo-Lancaster Regional Airport, NY (Lat. 42°55′19″ N, long. 78°36′43″ W)
   Buffalo Airfield, NY (Lat. 42°51′43″ N, long. 78°43′00″ W)

   That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the Buffalo Niagara International Airport, and within a 7.1-mile radius of Niagara Falls International Airport, and within 8.2 miles north and 7 miles south of the 090° bearing from the KATHI NDB extending from the KATHI NDB to 16.8 miles
east of the KATHI NDB, and within a 6.3-mile radius of Akron Airport/Jesson Field, and within a 6.3-mile radius of Buffalo-Lancaster Regional Airport, and within a 6.3-mile radius of Buffalo Airfield. 

Issued in Fort Worth, Texas, on October 29, 2020.

Martin A. Skinner,
Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2020–24336 Filed 11–3–20; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71


RIN 2120–AA66

Proposed Establishment of Class E Airspace; Calais, ME

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Class E airspace extending upward from 700 feet above the surface for Calais Regional Heliport, Calais, ME, to accommodate new area navigation (RNAV) global positioning system (GPS) standard instrument approach procedures (SIAPs) serving this heliport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

DATES: Comments must be received on or before December 21, 2020.


FAA Order 7400.11E Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at https://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; Telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11E at NARA, email fedreg.legal@nara.gov or go to https://www.archives.gov/federal-register/cfr/ibv-locations.html.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it would establish Class E airspace in Calais, ME, to support IFR operations in the area.

Comments Invited

Interested persons are invited to comment on this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (Docket No. FAA–2020–0935 and Airspace Docket No. 20–ANE–4) and be submitted in triplicate to DOT Docket Operations (see ADDRESSES section for the address and phone number). You may also submit comments through the internet at https://www.regulations.gov.

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: “Comments to FAA Docket No. FAA–2020–0935; Airspace Docket No. 20–ANE–4.” The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this document may be changed in light of the comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the internet at https://www.regulations.gov. Recently published rulemaking documents can also be accessed through the FAA’s web page at https://www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see the ADDRESSES section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except federal holidays at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, GA 30337.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA proposes an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to establish Class E airspace extending upward from 700 feet above the surface in Calais, ME, providing the controlled airspace required to support the new RNAV (GPS) standard instrument approach procedures for IFR operations at Calais Regional Heliport.

Class E airspace designations are published in Paragraph 6005, of FAA