

# Rules and Regulations

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Chapter I

[NRC-2021-0113]

RIN 3150-AK65

### Miscellaneous Corrections; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is correcting a final rule that was published in the **Federal Register** on August 9, 2021. The rule amended NRC's regulations to make miscellaneous corrections, remove outdated reporting requirements, clarify language, add metric units, and insert missing language. This action is necessary to correct inadvertent errors in the final rule.

**DATES:** The correction takes effect on August 24, 2021.

**ADDRESSES:** Please refer to Docket ID NRC-2021-0113 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2021-0113. Address questions about NRC dockets to Dawn Forder; telephone: 301-415-3407; email: [Dawn.Forder@nrc.gov](mailto:Dawn.Forder@nrc.gov).

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, at 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

- *Attention:* The PDR, where you may examine and order copies of public documents, is currently closed. You may submit your request to the PDR via email at [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov) or call 1-800-397-4209 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Dawn Forder, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-3407, email: [Dawn.Forder@nrc.gov](mailto:Dawn.Forder@nrc.gov).

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of August 9, 2021, in FR Doc. 2021-16662, the following corrections are made:

1. On page 43398, in the first column, in **SUPPLEMENTARY INFORMATION**, under the heading II. Summary of Changes, under *10 CFR Part 2*, the paragraph is corrected to read "*Correct Spelling*. This final rule amends §§ 2.911(a), 2.1023(b)

introductory text, and 2.1026(b)(1) to correct the spelling of "preceeding" to "proceeding," "respository" to "repository," and "unforseen" to "unforeseen.""

2. On page 43398, in the second column, under *10 CFR Part 35*, the third paragraph is corrected to read "*Correct Phrase*. This final rule amends § 35.57(b)(2) to correct the phrase "or a permit issued by a Commission master material license of broad scope on or before October 24, 2005," to "or a permit issued in accordance with a Commission master material broad scope license on or before October 24, 2005,"."

3. On page 43398, in the third column, under *10 CFR Part 70*, the second paragraph is corrected to read "*Correct References*. This final rule amends § 70.32 to update references to the United States Code by amending paragraph (a)(9)(i)(B) by removing "11 U.S.C. 101(14)" and adding in its place "11 U.S.C. 101(15)", and amending paragraph (a)(9)(i)(C) by removing "11 U.S.C. 101(a)" and adding in its place "11 U.S.C. 101(2)"."

4. On page 43399, under the heading IX. Agreement State Compatibility, in the third column, the last paragraph, the first sentence is corrected to read "The portions of this final rule that amend 10 CFR parts 20, 32, 35, 37, and 70 are a matter of compatibility between the NRC and the Agreement States, thereby providing consistency among Agreement State and NRC requirements, and are listed in the following table."

5. On page 43399, in the table, the first entry is corrected to read

COMPATIBILITY TABLE

Section	Change	Subject	Compatibility	
			Existing	New
<b>Part 20</b>				
§ 20.2207(h) .....	Remove ...	Reports of transactions involving nationally tracked sources .....	B	

6. On page 43401, in the third column, instruction 12c is corrected to read "c. In paragraphs (f)(2) and (3), remove "OPM's" and add in its place "DCSA's"."

7. On page 43402, in the first column, instruction 19 is corrected to read "19. In § 35.57(b)(2), remove the phrase "or

a permit issued by a Commission master material license of broad scope on or before October 24, 2005," and add in its place the phrase "or a permit issued in accordance with a Commission master material broad scope license on or before October 24, 2005,"."

Dated: August 19, 2021.

For the Nuclear Regulatory Commission.

**Cindy K. Bladey,**

*Branch Chief, Regulatory Analysis and Rulemaking Support Branch, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2021-18156 Filed 8-23-21; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2021-0141; Project Identifier MCAI-2020-01162-T; Amendment 39-21669; AD 2021-16-07]

RIN 2120-AA64

#### **Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Airbus Defense and Space S.A. Model C-212-CB, C-212-CC, C-212-CD, C-212-CE, C-212-CF, C-212-DE, and C-212-DF airplanes. This AD was prompted by a report of cracks on the left-hand (LH) and right-hand (RH) side fuselage skin and on a certain frame underneath the skin, near the leading edge of the wing. This AD requires repetitive inspections of the LH and RH side center wing fairings at a certain frame, around the wing leading edge for discrepancies (cracks), and repair if necessary, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective September 28, 2021.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of September 28, 2021.

**ADDRESSES:** For material incorporated by reference (IBR) in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); internet [www.easa.europa.eu](http://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, Airworthiness Products Section, Operational Safety 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 <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0141.

#### **Examining the AD Docket**

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0141; 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 final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Shahram Daneshmandi, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3220; email: [Shahram.Daneshmandi@faa.gov](mailto:Shahram.Daneshmandi@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

EASA, which is the Technical Agent for the Member States of the European Union, issued EASA AD 2020-0182, dated August 13, 2020 (EASA AD 2020-0182) (also referred to as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for certain Airbus Defense and Space S.A. Model C-212-CB, C-212-CC, C-212-CD, C-212-CE, C-212-CF, C-212-DD, C-212-DE, C-212-DF, C-212-EE and C-212-VA airplanes. Model C-212-DD, C-212-EE, and C-212-VA airplanes are not certificated by the FAA and are not included on the U.S. type certificate data sheet; this AD therefore does not include those airplanes in the applicability.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Airbus Defense and Space S.A. Model C-212-CB, C-212-CC, C-212-CD, C-212-CE, C-212-CF, C-212-DE, and C-212-DF airplanes. The NPRM was published in the **Federal Register** on March 11, 2021 (86 FR 13841). The NPRM was prompted by a report of cracks on the LH and RH side fuselage skin and on frame (FR) 5 underneath the skin, near the leading edge of the wing. The NPRM proposed to require repetitive inspections of the LH and RH side center wing fairings at

FR 5, around the wing leading edge for discrepancies (cracks), and repair if necessary, as specified in EASA AD 2020-0182.

The FAA is issuing this AD to address cracks on the LH and RH side fuselage skin and on FR 5 underneath the skin, near the leading edge of the wing, which could affect the structural integrity of the airplane. See the MCAI for additional background information.

#### **Comments**

The FAA gave the public the opportunity to participate in developing this final rule. The following presents the comments received on the NPRM and the FAA's response.

#### **Request To Allow Special Flight Permits**

Ryan Air reported that it began detecting and repairing fuselage skin cracks on its fleet in 2018, and no new cracks have since been detected in more than 10,000 flight hours. Assuming the cracking did not all occur at the same time, Ryan Air questioned why the proposed AD would require repair before further flight. Ryan Air recommended that the proposed AD be revised to allow flying the airplane to a location where repairs can be made after finding cracks in this area.

The FAA notes that 14 CFR 39.23 allows flight to a repair facility for every AD, if the operations specifications (ops specs) for a particular operator give that authority, unless they are specifically prohibited or limited in an AD. Any operator who does not have the authority in their ops specs may contact their local FAA Flight Standards District Office to receive a special flight permit. No change to the AD is necessary as a result of this comment.

#### **Request To Allow Certain Approvals**

Ryan Air recommended that the proposed AD be revised to allow repairs approved by a part 25 structures designated engineering representative (DER). Ryan Air stated that repair approvals from Airbus Engineering and the FAA have taken four weeks or longer. Ryan Air asserted that grounding an airplane for more than a month—for a four-day repair—would be an unreasonable economic burden on affected operators, who are mostly small business owners.

The FAA disagrees with this request. This AD allows required repairs to be approved only by the FAA, EASA, or Airbus Defense and Space S.A.'s EASA Design Organization Approval (DOA). For approval by a part 25 structures DER for the corrective repair required by this AD, an operator must first request