

## 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:

**Airbus SAS:** Docket No. FAA-2023-1994; Project Identifier MCAI-2023-00658-T.

#### (a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by November 27, 2023.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to all Airbus SAS airplanes identified in paragraphs (c)(1) through (6) of this AD, certificated in any category.

(1) Model A318-111, -112, -121, and -122 airplanes.

(2) Model A319-111, -112, -113, -114, -115, -131, -132, -133, -151N, -153N, and -171N airplanes.

(3) Model A320-211, -212, -214, -216, -231, -232, -233, -251N, -252N, -253N, -271N, -272N, and -273N airplanes.

(4) Model A321-111, -112, -131, -211, -212, -213, -231, -232, -251N, -251NX, -252N, -252NX, -253N, -253NX, -271N, -271NX, -272N, and -273NX airplanes.

(5) Model A330-201, -202, -203, -223, -223F, -243, -243F, -301, -302, -303, -321, -322, -323, -341, -342, -343, -841, and -941 airplanes.

(6) Model A340-211, -212, -213, -311, -312, -313, -541, and -642 airplanes.

#### (d) Subject

Air Transport Association (ATA) of America Code 35, Oxygen.

#### (e) Unsafe Condition

This AD was prompted by a report that a production deficiency of some SafeLav gaseous oxygen container (SLGOC) batches was identified during production testing of newly manufactured oxygen containers. The FAA is issuing this AD to address missing heat treatment of the actuation pin of the SLGOC, which could cause its jamming, with consequent failure of oxygen flow activation. The unsafe condition, if not addressed, could result in lack of supplemental oxygen supply in case of decompression in the cabin/lavatory, possibly resulting in injury to lavatory occupants.

#### (f) Compliance

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

#### (g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2023-0094, dated May 8, 2023 (EASA AD 2023-0094).

#### (h) Exceptions to EASA AD 2023-0094

(1) Where EASA AD 2023-0094 refers to its effective date, this AD requires using the effective date of this AD.

(2) This AD does not adopt the “Remarks” section of EASA AD 2023-0094.

#### (i) No Reporting Requirement

Although the service information referenced in EASA AD 2023-0094 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

#### (j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Validation 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 responsible Flight Standards Office, as appropriate. If sending information directly to the International Validation Branch, send it to the attention of the person identified in paragraph (k) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards 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 Validation 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):* Except as required by paragraph(s) (j)(2) and (i) of this AD, if any service information referenced in EASA AD 2023-0094 contains paragraphs that are labeled as RC, the instructions in RC paragraphs, including subparagraphs under an RC paragraph, must be done to comply with this AD; any paragraphs, including subparagraphs under those paragraphs, that are not identified as RC are recommended. The instructions in paragraphs, including subparagraphs under those paragraphs, 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 instructions identified as RC can be done and the airplane can be put back in an airworthy condition. Any

substitutions or changes to instructions identified as RC require approval of an AMOC.

#### (k) Additional Information

For more information about this AD, contact Tim Dowling, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone: 206-231-3667; email: timothy.p.dowling@faa.gov.

#### (l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2023-0094, dated May 8, 2023.

(ii) [Reserved]

(3) For EASA AD 2023-0094, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); website [easa.europa.eu](http://easa.europa.eu). You may find this EASA AD on the EASA website at [ad.easa.europa.eu](http://ad.easa.europa.eu).

(4) You may view this 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.

(5) You may view this material that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to: [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

Issued on October 4, 2023.

**Victor Wicklund**,

*Deputy Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2023-22487 Filed 10-12-23; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

**[Docket No. FAA-2023-1972; Airspace Docket No. 22-AGL-39]**

**RIN 2120-AA66**

#### Modification of Restricted Areas R-4201A and R-4201B; Camp Grayling, MI

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

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

**SUMMARY:** This action proposes to modify the designated altitudes of restricted area R-4201B, Camp Grayling, MI, by raising the restricted area ceiling

from 9,000 feet mean sea level (MSL) to 23,000 feet MSL to match the ceiling of the adjacent restricted area R-4201A, Camp Grayling, MI. Additionally, this action proposes to make minor administrative changes to the R-4201B time of designation information and the R-4201A and R-4201B using agency information to standardize the format of the information provided describing these restricted areas.

**DATES:** Comments must be received on or before November 27, 2023.

**ADDRESSES:** Send comments identified by FAA Docket No. FAA-2023-1972 and Airspace Docket No. 22-AGL-39 using any of the following methods:

\* *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov) and follow the online instructions for sending your comments electronically.

\* *Mail:* Send comments to Docket Operations, M-30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.

\* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

\* *Fax:* Fax comments to Docket Operations at (202) 493-2251.

*Docket:* Background documents or comments received may be read at [www.regulations.gov](http://www.regulations.gov) at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Comments on environmental and land use aspects should be directed to: Major Anthony E. Hylko, Alpena Environmental Manager, Alpena Combat Readiness Training Center (CRTC), Alpena, MI, 49707; email: [anthony.hylko.2@us.af.mil](mailto:anthony.hylko.2@us.af.mil) or telephone: (989) 354-6212 (comm).

FAA Order JO 7400.10E, Special Use Airspace, and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

**FOR FURTHER INFORMATION CONTACT:** Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800

Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

#### 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 the 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 modify the restricted area airspace at Camp Grayling, MI, to enhance aviation safety and accommodate essential U.S. Army training requirements.

##### Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

*Privacy:* In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

#### Availability of Rulemaking Documents

An electronic copy of this document may be downloaded through the internet at [www.regulations.gov](http://www.regulations.gov). Recently published rulemaking documents can also be accessed through the FAA's web page at [www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](http://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 **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177.

#### Background

The Alpena Combat Readiness Training Center (CRTC), located in Alpena, MI, is a regional hub for the Air National Guard (ANG) and hosts Department of Defense (DoD) Large Force Exercises (LFE) every year; serving as a deployed location. Activities within the Alpena CRTC airspace complex allow combat air forces to practice weapon attack mechanics, target acquisition, and reaction to simulated surface-to-air threats while coordinating with friendly ground elements.

The Alpena Airspace Complex was originally created to support aircrew training during the buildup for World War II and has continued as a valuable training area for aircrews since. As the development of advanced 4th generation and current 5th generation fighter aircraft progressed, the airspace complex was not updated concurrently to take advantage of the full spectrum of training needs required to meet the changing tactics. In particular, the development of next generation fighters and weapons with advanced sensors and significantly greater standoff capabilities has created the requirement for additional hazardous activities maneuver airspace to set up for the employment of current weapons systems at the Grayling Range restricted areas. The DoD seeks to amend Military Operations Areas (MOA) and restricted areas in the Alpena Airspace Complex to address these changing needs. This proposed rule addresses the proposed changes to 14 CFR part 73 to amend the Grayling Range restricted areas.

The DoD has already initiated proposed changes to the Alpena MOAs as a part of a separate action. At the request of the United States Air Force

(USAF), the FAA circulated a proposal to establish five new MOAs, modify the boundaries of three MOAs, and return one MOA to the National Airspace System (NAS).<sup>1</sup> Mission profiles in the proposed Alpena MOA airspace included typical MOA flight operations conducting tactical combat maneuvering by attack and transport category fixed wing aircraft involving abrupt, unpredictable changes in altitude, attitude, and direction of flight. The FAA accepted comments on the proposed MOA amendments from June 16 to August 3, 2023. These amendments do not require the FAA to conduct rulemaking or amend 14 CFR part 73. Accordingly, the FAA will document the MOA amendments in a separate non-regulatory publication.

Collectively, the proposed changes to the MOAs and the proposed Grayling Range restricted area amendments would support DoD training scenarios designed to ensure air dominance of the airspace over the battlefield. Connecting the proposed Grayling Range R-4201A and R-4201B restricted areas with the proposed Alpena CRTC MOA airspace areas would enable the ANG to host and DoD to conduct training scenarios where fighter aircraft would fight their way into a target area, employ ordnance, and then egress from either low or high altitudes depending on the training threats confronted.

### The Proposal

The FAA is proposing an amendment to 14 CFR part 73 by amending the Camp Grayling, MI, restricted areas R-4201A and R-4201B. This action would raise the ceiling of R-4201B from 9,000 feet MSL to 23,000 feet MSL to match the adjacent R-4201A ceiling, add a “tie-in” boundary point in the R-4201A boundaries description to ensure a shared R-4201A and R-4201B boundary, and make minor administrative changes to the existing R-4201B time of designation and the R-4201A and R-4201B using agency information.

The proposed amendment to raise the R-4201B ceiling to 23,000 feet MSL would match the restricted area ceiling with the adjacent R-4201A ceiling and connect the eastern boundaries of the two restricted areas equally with two new MOAs proposed to be established as part of the previously published non-rulemaking proposal to amend the Alpena CRTC Airspace Complex. Further, the proposed R-4201B 23,000-

foot MSL ceiling would accommodate additional hazardous activity maneuvering airspace, longer standoff distance capabilities for using advanced targeting pod non-eye-safe combat lasers, and extended munition release distances required in support of current USAF precision guided munitions tactics and training. The proposed amendment to increase the ceiling of R-4201B would also support United States Army requirements for high-angle artillery fires with high-arching trajectories.

The proposed amendment to add an additional boundary point to the existing southern boundary of R-4201A would ensure a shared boundary with the northern boundary of R-4201B. The inclusion of the additional geographic coordinates located at latitude 44°47'00" N, longitude 84°38'00" W in the R-4201A description matches the geographic coordinates of the northwest corner of R-4201B and would not change the boundaries alignment for either restricted area.

The proposed administrative change to the existing R-4201B time of designation would not change when the restricted area is available to be scheduled. The proposed change would simply restate the existing times and days when the restricted area may be scheduled consistent with the FAA's special use airspace description format guidance. Additionally, administrative changes to the R-4201A and R-4201B using agency information would preface the existing using agency with “U.S. Army.” These administrative changes would not affect the scheduling, use, or activities conducted within the restricted areas.

### Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. 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 proposed rule, when promulgated, will 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 73

Airspace, Prohibited areas, Restricted areas.

### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as follows:

### PART 73—SPECIAL USE AIRSPACE

#### ■ 1. The authority citation for 14 CFR part 73 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 73.42 Michigan (MI) [Amended]

#### ■ 2. Amend § 73.42 to read as follows:

##### R-4201A Camp Grayling, MI [Amended]

**Boundaries.** Beginning at lat. 44°56'00" N, long. 84°29'00" W; to lat. 44°47'00" N, long. 84°29'00" W; to lat. 44°47'00" N, long. 84°38'00" W; to lat. 44°47'00" N, long. 84°39'00" W; to lat. 44°56'00" N, long. 84°39'00" W; to the point of beginning.

**Designated altitudes.** Surface to 23,000 feet MSL.

**Time of designation.** 0800–1600 local time, Tuesday–Saturday; other times by NOTAM.

**Controlling agency.** FAA, Minneapolis ARTCC.

**Using agency.** U.S. Army, Commander, Camp Grayling, Grayling, MI.

##### R-4201B Camp Grayling, MI [Amended]

**Boundaries.** Beginning at lat. 44°47'00" N, long. 84°29'00" W; to lat. 44°41'00" N, long. 84°29'00" W; to lat. 44°41'00" N, long. 84°40'00" W; to lat. 44°43'00" N, long. 84°40'00" W; to lat. 44°43'00" N, long. 84°38'00" W; to lat. 44°47'00" N, long. 84°38'00" W; to the point of beginning.

**Designated altitudes.** Surface to 23,000 feet MSL.

**Time of designation.** 0000–2359 local time, Saturday–Sunday; other times by NOTAM.

**Controlling agency.** FAA, Minneapolis ARTCC.

**Using agency.** U.S. Army, Commander, Camp Grayling, Grayling, MI.

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Issued in Washington, DC, on October 5, 2023.

**Karen L. Chiodini,**

*Acting Manager, Policy and Regulations Group.*

[FR Doc. 2023-22472 Filed 10-12-23; 8:45 am]

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<sup>1</sup> Airspace Study No. 23-AGL-361-NR circularized by the Central Service Center Operations Support Group on June 16, 2023, with a public comment period that ended August 3, 2023.