

Director, or equivalent DOE official who has primary line management responsibility for a contractor, or any other official to whom the CSO delegates in writing a particular function under this part.

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DOE site means a DOE-owned or -leased area or location or other area or location controlled by DOE or with operations authorized by DOE where activities and operations are performed at one or more facilities or places by a contractor in furtherance of a DOE mission.

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Worker means an employee of a DOE contractor who performs work in furtherance of a DOE mission at a covered workplace.

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■ 2. Amend § 851.24 by revising paragraph (b) to read as follows:

§ 851.24 Functional areas.

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(b) In implementing the structured approach required by paragraph (a) of this section, except as stated in § 851.46, contractors must comply with the applicable standards and provisions in appendix A of this part, entitled “Worker Safety and Health Functional Areas.”

■ 3. Amend § 851.30 by revising paragraph (a) to read as follows:

§ 851.30 Consideration of variances.

(a) Except as provided in § 851.46, variances may be granted by the Under Secretary after considering the recommendation of the EHSS Director. The authority to grant a variance cannot be delegated.

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■ 4. Add a new § 851.46 to read as follows:

§ 851.46 Direction to contractors operating under Office of Nuclear Energy responsibility.

(a) This section applies only to DOE sites under DOE’s Office of Nuclear Energy responsibility, including nuclear facilities authorized by the Office of Nuclear Energy.

(b) Notwithstanding any other provision of this part, the following provisions do not apply to facilities covered by paragraph (a) of this section:

(1) Section 851.11(b) and any other requirements in § 851.11(a) and (c) of this part requiring approval by DOE of the contractor’s worker safety and health programs and updates;

(2) Section 851.23(a)(9), (10), and (12);

(3) Section 851.24;

(4) Section 851.27(b), (c)(1), and (c)(2); and

(5) Subpart D.

(c) Notwithstanding any other provision of this part, the following provisions apply to facilities covered by paragraph (a) of this section:

(1) Appendix A to this part is applicable only as guidance, not as a requirement;

(2) Variances to any requirement of this part are to be submitted to, and require the approval of, the cognizant Head of DOE Field Element or DOE employee with authority to approve the relevant safety basis, as applicable; and

(3) Any enforcement action taken under this part must be performed after consultation with the cognizant Head of DOE Field Element or DOE employee with authority to approve the relevant safety basis, as applicable.

■ 5. Revise the introductory paragraph of appendix A to part 851 to read as follows:

Appendix A to Part 851—Worker Safety and Health Functional Areas

Except as stated in § 851.46, this appendix establishes the mandatory requirements for implementing the applicable functional areas required by § 851.24.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2026-0017; Project Identifier MCAI-2023-00681-R]

RIN 2120-AA64

Airworthiness Directives; Leonardo S.p.A. Helicopters

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 Leonardo S.p.A. Model AB139 and AW139 helicopters. This proposed AD was prompted by reports of a damaged spare inflation system of a certain life raft kit due to the inappropriate shipment of the parts. This proposed AD would require replacing certain life raft inflation systems and would prohibit the installation of an affected life raft inflation system on any helicopter. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by March 9, 2026.

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 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.

AD Docket: You may examine the AD docket at regulations.gov under Docket No. FAA-2026-0017; 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 mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find the EASA material on the EASA website at ad.easa.europa.eu.

- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

FOR FURTHER INFORMATION CONTACT:

David Enns, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946-4147; email: david.enns@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under **ADDRESSES**. Include “Docket No. FAA-2026-0017; Project Identifier MCAI-2023-00681-R” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov*, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to David Enns, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2023-0101, dated May 15, 2023 (EASA AD 2023-0101) (also referred to as the MCAI), to correct an unsafe condition on Leonardo S.p.A. Model AB139 and AW139 helicopters. The MCAI states there have been reports of a damaged spare inflation system of life raft kit part

number (P/N) 3G9560F00111, P/N 3G9560F00112, and P/N 4G2560F00811. The MCAI further states that subsequent investigation results revealed the damage was caused by the inappropriate shipment of the parts. This condition, if not addressed, could lead to the inability to inflate a life raft, which could possibly affect the safe evacuation of occupants in the case of ditching overwater.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA-2026-0017.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2023-0101, dated May 15, 2023, which specifies procedures for replacing life raft inflation system P/N 202402A and P/N 202256A that have a certain cylinder and valve serial number. EASA AD 2023-0101 also prohibits installing an affected life raft inflation system part on any helicopter.

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 **ADDRESSES**.

FAA's Determination

These products have been approved by the civil aviation authority (CAA) of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI and material referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace life raft inflation system	4 work-hours × \$85 per hour = \$340	\$8,910	\$9,250	\$1,489,250

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some of the costs of this proposed AD may be covered, thereby reducing the cost impact on affected operators.

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

EASA 2023-0101, 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 developed a process to use some CAA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA incorporates EASA AD 2023-0101 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2023-0101 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Using common terms that are the same as the heading of a particular section in EASA AD 2023-0101 does not mean that operators need comply only with that section. For example, where the AD requirement refers to "all required actions and compliance times," compliance with this AD requirement is not limited to the section titled "Required Action(s) and Compliance Time(s)" in EASA AD 2023-0101. Material required in EASA AD 2023-0101 for compliance will be available at *regulations.gov* under Docket No. FAA-2026-0017 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 161 helicopters of U.S. registry.

The FAA estimates the following costs to comply with this proposed AD:

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) Would not affect intrastate aviation in Alaska, and
- (3) Would 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:

Leonardo S.p.A.: Docket No. FAA-2026-0017; Project Identifier MCAL-2023-00681-R.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by March 9, 2026.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Leonardo S.p.A. Model AB139 and AW139 helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 2564, Life Raft.

(e) Unsafe Condition

This AD was prompted by reports of a damaged spare inflation system of a certain life raft kit due to inappropriate shipment of the parts. The FAA is issuing this AD to address a damaged life raft inflation system, which could lead to inability to inflate a life raft and possibly affecting the safe evacuation of occupants in the case of ditching overwater.

(f) Compliance

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

(g) Required Actions

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 AD 2023-0101, dated May 15, 2023 (EASA AD 2023-0101).

(h) Exceptions to EASA AD 2023-0101

(1) Where EASA AD 2023-0101 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2023-0101 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(3) Where EASA AD 2023-0101 defines “affected part,” this AD requires replacing that definition with “Life raft inflation system part number (P/N) 202402A and P/N 202256A that:

- (i) have a cylinder and valve serial number (S/N) as specified in Leonardo Helicopters Alert Service Bulletin (ASB) 139-734, original issue, dated April 13, 2023, or Revision A, dated April 28, 2023; except those that have not been modified in accordance with the instructions of Aero Sekur Service Bulletin (SB) SB-139-25-005, Revision 1, dated April 21, 2023, and Survitec SB 25-225-A, Revision 1, dated February 23, 2023 (co-published as one document) as applicable, or

- (ii) have a cylinder where the S/N cannot be determined.”

(4) This AD does not adopt the “Remarks” section of EASA AD 2023-0101.

(i) No Reporting and Return of Parts Requirement

Although the material referenced in EASA AD 2023-0101 specifies to submit certain information to the manufacturer and to return the parts to the manufacturer, this AD does not require any of these actions.

(j) Special Flight Permits

Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199, provided there are no flights overwater.

(k) Alternative Methods of Compliance (AMOCs)

(1) 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 local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (l) of this AD and email to: AMOC@faa.gov.

(2) 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.

(l) Additional Information

For more information about this AD, contact David Enns, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (316) 946-4147; email: david.enns@faa.gov.

(m) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2023-0101, dated May 15, 2023.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: ADs@easa.europa.eu; website: easa.europa.eu. You may find the EASA material on the EASA website at ad.easa.europa.eu.

(4) You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

Issued on January 16, 2026.

Steven W. Thompson,

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

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