

Domestic Licensing of Byproduct Material,” and 10 CFR 70.25, “Financial assurance and recordkeeping for decommissioning.” The proposed rule would address the petition for rulemaking (PRM)–30–66, “Request of the Organization of Agreement States for the NRC to Amend Appendix B, ‘Quantities of Licensed Material Requiring Labeling,’” submitted by the Organization of Agreement States (OAS) on April 14, 2017. The public comment period closed on June 27, 2022. The NRC has decided to reopen the public comment period on this document until August 18, 2022, to correct a publication error and allow more time for members of the public to submit their comments.

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at <https://www.regulations.gov> under Docket ID NRC–2017–0031. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) navigate to the docket folder (NRC–2017–0031); (2) click the “Subscribe” link; and (3) enter an email address and click on the “Subscribe” link.

Dated: July 13, 2022.

For the Nuclear Regulatory Commission.

**Tara Inverso,**

*Acting Director, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2022–0879; Project Identifier MCAI–2022–00039–T]

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 A300 B2K–3C, B2–203, B4–2C, and B4–203 airplanes. This proposed AD was prompted by reports of cracking of the flight compartment aft window frame and adjacent fuselage skin. This proposed AD would require a one-time check for previously accomplished repairs of the window

pane and adjacent fuselage panel, and applicable corrective actions, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation 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 September 2, 2022.

**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 <https://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 material that will be 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 material on the EASA website at <https://ad.easa.europa.eu>. 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. It is also available in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2022–0879.

#### Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2022–0879; 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.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3225; email [dan.rodina@faa.gov](mailto:dan.rodina@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 to an address listed under **ADDRESSES**. Include “Docket No. FAA–2022–0879; Project Identifier MCAI–2022–00039–T” 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 <https://www.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 Dan Rodina, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3225; email [dan.rodina@faa.gov](mailto:dan.rodina@faa.gov). 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 2022–0004, dated January 11, 2022 (EASA AD 2022–0004) (also referred to as the MCAI), to correct an unsafe condition for all Airbus SAS Model A300 B2K–3C,

B2-203, B4-2C, B4-203, C4-203, and F4-203 airplanes. Model C4-203 and F4-203 airplanes are not certificated by the FAA and are not included on the U.S. type certificate data sheet; this proposed AD therefore does not include those airplanes in the applicability.

EASA AD 2022-0004 specifies that changes were made to the inspection methods and compliance times required by paragraph 1.8 of Direction Generale de l'Aviation Civile (DGAC) France AD 1990-222-116(B) R5, dated January 8, 2000 (DGAC France AD 1990-222-116(B) R5), and that the requirements of paragraph 1.8 of DGAC France AD 1990-222-116(B) R5 are "no longer valid." FAA AD 2000-10-01, Amendment 39-11725 (65 FR 33441, May 24, 2000) (AD 2000-10-01) corresponds to DGAC France AD 1990-222-116(B) R4, dated March 27, 1996. DGAC France AD 1990-222-116(B) R5 removed certain other requirements, but the requirements of paragraph 1.8 did not change from those in DGAC France AD 1990-222-116(B) R4, dated March 27, 1996. This proposed AD would therefore terminate the inspections of the rear lower corner of the flight compartment aft window at fuselage station (STA) 972/frame (FR) 10, as required by paragraphs (a)(8), (d), and (e) of AD 2000-10-01.

This proposed AD was prompted by reports of cracking of the flight compartment aft window frame and adjacent fuselage skin. The FAA is proposing this AD to address cracking of the wings and fuselage, which could result in reduced structural integrity of the airplane. See the MCAI for additional background information.

**Related Service Information Under 1 CFR Part 51**

EASA AD 2022-0004 specifies procedures for a one-time check for previously accomplished repairs of the window pane and adjacent fuselage panel, and applicable corrective actions. If no repair is identified, the corrective actions are accomplishing repetitive ultrasonic inspections of the window frame, and detailed inspections of the adjacent fuselage panel for cracking, and repair of any cracking. If any repair is identified, the corrective action is obtaining and accomplishing further instructions.

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**

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

**Proposed AD Requirements in This NPRM**

This proposed AD would require accomplishing the actions specified in EASA AD 2022-0004 described previously, except for any differences identified as exceptions in the regulatory text of this proposed 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 civil aviation authority (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 proposes to incorporate EASA AD 2022-0004 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2022-0004 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 2022-0004 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 2022-0004. Service information required by EASA AD 2022-0004 for compliance will be available at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2022-0879 after the FAA final rule is published.

**Costs of Compliance**

The FAA estimates that this proposed AD would affect 1 airplane 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
1 work-hours × \$85 per hour = \$85 .....	\$0	\$85	\$85

The FAA estimates the following costs to do any necessary on-condition inspections 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 inspections:

**ESTIMATED COSTS OF ON-CONDITION ACTIONS**

Labor cost	Parts cost	Cost per product
3 work-hours × \$85 per hour = \$255 .....	\$0	\$255

The FAA has received no definitive data on which to base the cost estimates for the on-condition repairs or

additional instructions 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.

### 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:

**Airbus SAS:** Docket No. FAA-2022-0879; Project Identifier MCAI-2022-00039-T.

### (a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by September 2, 2022.

### (b) Affected ADs

This AD affects AD 2000-10-01, Amendment 39-11725 (65 FR 33441, May 24, 2000) (AD 2000-10-01).

### (c) Applicability

This AD applies to all Airbus SAS Model A300 B2K-3C, B2-203, B4-2C, and B4-203 airplanes, certificated in any category.

### (d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

### (e) Unsafe Condition

This AD was prompted by reports of cracking of the flight compartment aft window frame and adjacent fuselage skin. The FAA is issuing this AD to address cracking of the wings and fuselage, which could result in reduced structural integrity of the airplane.

### (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 2022-0004, dated January 11, 2022 (EASA AD 2022-0004).

### (h) Exceptions to EASA AD 2022-0004

(1) Where EASA AD 2022-0004 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where paragraph (4) of EASA AD 2022-0004 specifies to "accomplish those instructions accordingly" if any crack is detected, for this AD if any crack is detected, the crack must be repaired before further flight using a method approved by the Manager, Large Aircraft Section, 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) Where paragraph (6) of EASA AD 2022-0004 specifies terminating action, replace the text "the requirements of paragraph 1.8 of DGAC France AD 1990-222-116(B) R5 are no longer valid," with "the inspections of the rear lower corner of the flight compartment aft window at fuselage station (STA) 972/ frame (FR) 10, as required by paragraphs (a)(8), (d), and (e) of AD 2000-10-01, are terminated."

(4) The "Remarks" section of EASA AD 2022-0004 does not apply to this AD.

### (i) No Reporting Requirement

Although the service information referenced in EASA AD 2022-0004 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, Large Aircraft Section, 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 Large Aircraft Section, International Validation Branch, send it to the attention of the person identified in paragraph (k)(2) of this AD. Information may be emailed to: [9-AVS-AIR-730-AMOC@faa.gov](mailto: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 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, Large Aircraft Section, International Validation Branch, FAA; or EASA; or Airbus SAS's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

### (k) Related Information

(1) For EASA AD 2022-0004, 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 EASA AD on the EASA website at <https://ad.easa.europa.eu>. 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. This material may be found in the AD docket in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2022-0879.

(2) For more information about this AD, contact Dan Rodina, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206-231-3225; email [dan.rodina@faa.gov](mailto:dan.rodina@faa.gov).

Issued on July 8, 2022.

### Christina Underwood,

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

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