

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2023-1505; Project Identifier MCAI-2023-00246-T]

RIN 2120-AA64

#### Airworthiness Directives; Bombardier, Inc., 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 certain Bombardier, Inc., Model CL-600-2B16 (601-3A, 601-3R, and 604 Variants) airplanes. This proposed AD was prompted by sleeve loops on some passenger oxygen mask lanyards that had improper crimping and unsealed ends. This proposed AD would require an inspection of the passenger oxygen mask lanyards and replacement of defective oxygen mask lanyards. This proposed AD would also prohibit the installation of affected parts. 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 8, 2023.

**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](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.

**AD Docket:** You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2023-1505; 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 service information identified in this NPRM, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-2999; email [ac.yul@aero.bombardier.com](mailto:ac.yul@aero.bombardier.com); website [bombardier.com](https://www.bombardier.com).

- You may view this service information 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.

**FOR FURTHER INFORMATION CONTACT:** Gabriel Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; email [9-avs-nyaco-cos@faa.gov](mailto:9-avs-nyaco-cos@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-2023-1505; Project Identifier MCAI-2023-00246-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 the 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](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 Gabriel Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; email [9-avs-nyaco-cos@faa.gov](mailto:9-avs-nyaco-cos@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

Transport Canada, which is the aviation authority for Canada, has issued Transport Canada CF-2023-06, dated February 9, 2023 (Transport Canada AD CF-2023-06) (also referred to after this as the MCAI), to correct an unsafe condition on certain Bombardier, Inc., Model CL-600-2B16 (601-3A, 601-3R, and 604 Variants) airplanes. The MCAI states the sleeve loops on certain passenger oxygen mask lanyards were found to have improper crimping and unsealed ends.

This proposed AD addresses these defective oxygen mask lanyards, which could result in no oxygen flow to the mask during an emergency situation.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2023-1505.

## Related Rulemaking

The FAA issued AD 2017-16-13, Amendment 39-18990 (82 FR 39518, August 21, 2017) (AD 2017-16-13), for certain Bombardier, Inc., Model CL-600-2B16 (601-3A, 601-3R, and 604 Variants) airplanes. AD 2017-16-13 resulted from a report indicating that the lanyard length of the passenger

drop-down oxygen masks is too long. AD 2017–16–13 requires replacing the existing oxygen mask lanyards with lanyards of the correct length. The FAA issued AD 2017–16–13 to prevent improper oxygen flow functionality to the passenger oxygen masks in the event of an emergency.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Bombardier Service Bulletin 605–35–008, dated October 28, 2022. This service information specifies procedures for visual inspection of the existing passenger oxygen mask lanyards installed in the cabin or lavatory oxygen box assemblies, and replacement of the defective oxygen mask lanyards. The

defective oxygen mask lanyards had improperly crimped sleeve loops and unsealed ends. This service information 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 this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI and service information 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 the service information already described. This proposed AD would also prohibit the installation of affected parts.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 120 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection .....	1 work-hour × \$85 per hour = \$85 .....	\$0	\$85	\$10,200

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

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Action	Labor cost	Parts cost	Cost per product
Replacement .....	2 work-hours × \$85 per hour = \$170 .....	\$1,149	\$1,319

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this proposed AD may be covered under warranty, 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 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:

**Bombardier, Inc.:** Docket No. FAA–2023–1505; Project Identifier MCAI–2023–00246–T.

**(a) Comments Due Date**

The FAA must receive comments on this airworthiness directive (AD) by September 8, 2023.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Bombardier, Inc., Model CL-600-2B16 (601-3A, 601-3R, and 604 Variants) airplanes, certificated in any category, serial numbers identified in Bombardier Service Bulletin 605-35-008, dated October 28, 2022.

**(d) Subject**

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

**(e) Unsafe Condition**

This AD was prompted by sleeve loops on some passenger oxygen mask lanyards that had improper crimping and unsealed ends. The FAA is issuing this AD to address the defective oxygen mask lanyards. The unsafe condition, if not addressed, could result in no oxygen flow to the mask during an emergency situation.

**(f) Compliance**

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

**(g) Inspection of the Passenger Oxygen Mask Assemblies**

Within 48 months from the effective date of this AD, visually inspect the passenger oxygen mask lanyards in the cabin or lavatory oxygen box assemblies as applicable for crimped lanyards and sealed ends, in accordance with paragraph 2.C. of the Accomplishment Instructions of Bombardier Service Bulletin 605-35-008, dated October 28, 2022.

(1) If all passenger oxygen mask lanyards are crimped and the lanyard ends are sealed: No further action is required by this paragraph.

(2) If any passenger oxygen mask lanyard is not crimped properly, or any lanyard end is not sealed properly: Before further flight, replace the passenger oxygen mask lanyard in accordance with Section 2.D. of the Accomplishment Instructions of Bombardier Service Bulletin 605-35-008, dated October 28, 2022.

**(h) Parts Installation Prohibition**

As of the effective date of this AD, no person may install, on any airplane, a passenger oxygen mask lanyard assembly provided with an oxygen box lanyard kit containing a lot number in paragraph (h)(1) or (2) of this AD.

(1) Oxygen box lanyard kit part number (P/N) CDKC29-006-501, lot number 2011007411, 2012010412, 2101018703, 2101035167, 2102030139, 2104003817, or 2105005522.

(2) Oxygen box lanyard kit P/N CDKC29-006-503, lot number 2011029525, 2012006900, 2103007412, or 2103029992.

**(i) 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 manager, International Validation Branch, mail it to the address identified in paragraph (j)(2) of this AD or email to: 9-AVS-AIR-730-AMOC@faa.gov. If mailing information, also submit information by email. 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 Transport Canada or Bombardier, Inc.'s Transport Canada Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

**(j) Additional Information**

(1) Refer to Transport Canada CF-2023-06, dated February 9, 2023, for related information. This Transport Canada AD may be found in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2023-1505.

(2) For more information about this AD, contact Gabriel Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; email 9-avs-nyaco-cos@faa.gov.

**(k) 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) Bombardier Service Bulletin 605-35-008, dated October 28, 2022.

(ii) [Reserved]

(3) For service information identified in this AD, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-2999; email [ac.yul@aero.bombardier.com](mailto:ac.yul@aero.bombardier.com); website [bombardier.com](https://www.bombardier.com).

(4) You may view this service information 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 service information 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](https://www.archives.gov/federal-register/cfr/ibr-locations.html).

Issued on July 19, 2023.

**Victor Wicklund,**

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

[FR Doc. 2023-15666 Filed 7-24-23; 8:45 am]

BILLING CODE 4910-13-P

**DEPARTMENT OF LABOR****Employment and Training Administration****20 CFR Part 603**

[Docket No. ETA-2023-0002]

RIN 1205-AC11

**Federal-State Unemployment Compensation (UC) Program; Confidentiality and Disclosure of State UC Information**

**AGENCY:** Employment and Training Administration (ETA), Department of Labor.

**ACTION:** Request for information (RFI).

**SUMMARY:** The U.S. Department of Labor (Department or USDOL) invites interested parties to provide information relating to the disclosure of confidential wage records under the Department's regulations governing the confidentiality and disclosure of State UC information. The Department is considering comprehensive updates to the UC confidentiality regulations and the information received in response to this RFI will inform and be considered by the Department as it reviews the UC confidentiality regulations, which may result in the development of a notice of proposed rulemaking (NPRM) to revise the regulations in a manner that would address the evolution of both information technology (IT) and the public workforce system as these changes relate to the required and permissible disclosure of confidential UC data.

**DATES:** Interested persons are invited to submit written comments on the request for information on or before September 25, 2023.

**ADDRESSES:** You may submit comments, identified by Docket No. ETA-2023-0002 and Regulatory Identification Number (RIN) 1205-AC11, through the Federal eRulemaking Portal: <https://www.regulations.gov>. Search for the above-referenced RIN, open the RFI, and follow the on-screen instructions for submitting comments.

All submissions received must include the agency name and docket number for this pre-rulemaking: "RIN 1205-AC11." Please be advised that the Department may post all comments