

Special Attention Service Bulletin 737–53–1260, Revision 1, dated May 23, 2013.

(3) For airplanes in Group 6, as identified in Boeing Special Attention Service Bulletin 737–53–1260, Revision 1, dated May 23, 2013: Inspect, change, or repair the seat track link assembly, as applicable, using a method approved in accordance with the procedures specified in paragraph (k) of this AD.

(4) For airplanes in Group 5, as identified in Boeing Special Attention Service Bulletin 737–53–1260, Revision 1, dated May 23, 2013: Modify the existing seat track link assembly fastener, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 737–53–1260, Revision 1, dated May 23, 2013.

#### (h) Retained Optional Modification of Seat Track Link Assembly, With No Changes

This paragraph restates the provisions of paragraph (h) of AD 2013–24–13, Amendment 39–17687 (78 FR 72558, December 3, 2013), with no changes. In lieu of the replacement specified in paragraph (g)(2) of this AD, doing the optional modification of the seat track link assembly, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 737–53–1260, Revision 1, dated May 23, 2013, is acceptable for compliance with the requirements of paragraph (g)(2) of this AD, provided the modification is done within the compliance time specified in paragraph (g) of this AD.

#### (i) Retained Concurrent Actions, With New Concurrent Action for Group 5 Airplanes

This paragraph restates the requirements of paragraph (i) of AD 2013–24–13, Amendment 39–17687 (78 FR 72558, December 3, 2013), with a corrected paragraph reference (*i.e.*, “(g)(3)” was changed to “(g)(4)”), which results in a new concurrent action for Group 5 airplanes. For airplanes in Groups 1, 2, 4, and 5, as identified in Boeing Special Attention Service Bulletin 737–53–1260, Revision 1, dated May 23, 2013: Before or concurrently with the accomplishment of the actions specified in paragraph (g)(2) or (g)(4) of this AD, install a new seat track link assembly or modify the seat track link assembly, as applicable, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 737–53–1120, Revision 1, dated May 13, 1993.

#### (j) Retained Credit for Previous Actions, With No Changes

This paragraph restates the credit provisions specified in paragraph (j) of AD 2013–24–13, Amendment 39–17687 (78 FR 72558, December 3, 2013), with no changes.

(1) This paragraph provides credit for the actions required by paragraph (g)(1) of this AD, if those actions were performed before January 7, 2014 (the effective date of AD 2013–24–13, Amendment 39–17687 (78 FR 72558, December 3, 2013)), using Boeing Service Bulletin 737–53–1244, dated April 17, 2003; Revision 1, dated May 29, 2003; Revision 2, dated March 15, 2007; or Revision 3, dated December 4, 2008; which are not incorporated by reference in this AD.

(2) This paragraph provides credit for the actions required by paragraphs (g)(2) and (g)(4) of this AD, if those actions were

performed before January 7, 2014 (the effective date of AD 2013–24–13, Amendment 39–17687 (78 FR 72558, December 3, 2013)), using Boeing Special Attention Service Bulletin 737–53–1260, dated May 7, 2007, which is not incorporated by reference in this AD.

#### (k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), 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 ACO, send it to the attention of the person identified in paragraph (l) of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto:9-ANM-Seattle-ACO-AMOC-Requests@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.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by The Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane and 14 CFR 25.571, Amendment 45, and the approval must specifically refer to this AD.

#### (l) Related Information

(1) For more information about this AD, contact Sarah Piccola, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6483; fax: 425–917–6590; email: [sarah.piccola@faa.gov](mailto:sarah.piccola@faa.gov).

(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (m)(4) and (m)(5) of this AD.

#### (m) 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 the AD specifies otherwise.

(3) The following service information was approved for IBR on January 7, 2014 (78 FR 72558, December 3, 2013).

(i) Boeing Service Bulletin 737–53–1120, Revision 1, dated May 13, 1993.

(ii) Boeing Service Bulletin 737–53–1244, Revision 5, dated July 27, 2011.

(iii) Boeing Special Attention Service Bulletin 737–53–1260, Revision 1, dated May 23, 2013.

(4) For information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–

2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet <https://www.myboeingfleet.com>.

(5) You may view this service information at FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(6) 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, call 202–741–6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on January 21, 2015.

**Jeffrey E. Duven,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2015–02074 Filed 2–3–15; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 91

[Docket No.: FAA–2000–7360; Amdt. No. 91–335]

**RIN 2120–AK59**

#### Removal of Special Federal Aviation Regulation No. 87—Prohibition Against Certain Flights Within the Territory and Airspace of Ethiopia

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

**ACTION:** Immediately adopted final rule.

**SUMMARY:** This action removes the prohibition against certain flights within the territory and airspace of Ethiopia contained in Special Federal Aviation Regulation (SFAR) No. 87 from the Code of Federal Regulations (CFR). The prohibition only applied to flight operations within the territory and airspace of Ethiopia north of 12 degrees north latitude conducted by United States (U.S.) air carriers or commercial operators; persons exercising the privileges of an airman certificate issued by the FAA, unless that person was engaged in the operation of a U.S.-registered aircraft for a foreign air carrier; and operators using an aircraft registered in the United States, except where the operator of such aircraft was a foreign air carrier. The FAA has now determined that the safety and security situation that prompted the above flight prohibition has significantly improved, and that it is safe for U.S. civil flights to be operated within the entire territory and airspace of Ethiopia, subject to the approval of and in accordance with the

conditions established by the appropriate authorities of Ethiopia.

**DATES:** This final rule is effective on February 4, 2015.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this action, contact Will Gonzalez, Air Transportation Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone 202-267-8166; email [will.gonzalez@faa.gov](mailto:will.gonzalez@faa.gov).

For legal questions concerning this action, contact Robert Frenzel, Office of the Chief Counsel, AGC-200, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-7638; email [robert.frenzel@faa.gov](mailto:robert.frenzel@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Good Cause for Immediate Adoption**

Title 5, United States Code (U.S.C.) § 553(b)(3)(B) authorizes agencies to dispense with notice and comment procedures for rules when the agency for “good cause” finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” In this instance, the FAA finds that notice and public comment to this immediately adopted final rule, as well as any delay in the effective date of this rule, are unnecessary and contrary to the public interest. This is a relieving rule; with publication of this final rule, persons described in paragraph 1 of SFAR No. 87,<sup>1</sup> who have been prohibited from flying within the territory and airspace of Ethiopia north of 12 degrees north latitude, will no longer be subject to that prohibition. The removal of this prohibition will allow such persons to operate anywhere in the territory and airspace of Ethiopia, subject to the approval of and in accordance with the conditions established by the appropriate authorities of Ethiopia. The FAA has determined that the safety and security situation which prompted the FAA to issue SFAR No. 87 has significantly improved, and that it is safe for flight operations by persons described in paragraph 1 of SFAR No. 87 to resume, subject to the approval of and in accordance with the conditions established by the appropriate

authorities of Ethiopia. Delaying the effective date of this action, which the FAA expects to be non-controversial, would unnecessarily limit the activities and economic opportunities of persons described in paragraph 1 of SFAR No. 87, as well as persons to whom they provide service.

##### **Authority for This Rulemaking**

The FAA is responsible for the safety of flight in the United States and for the safety of U.S. civil operators, U.S.-registered civil aircraft, and U.S.-certificated airmen throughout the world. The FAA’s authority to issue rules on aviation safety is found in title 49, U.S. Code. Subtitle I, section 106(f) and (g), describe the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority. Section 40101(d)(1) provides that the Administrator shall consider in the public interest, among other matters, assigning, maintaining, and enhancing safety and security as the highest priorities in air commerce. Section 40105(b)(1)(A) requires the Administrator to exercise his authority consistently with the obligations of the U.S. Government under international agreements.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, General requirements. Under that section, the FAA is charged broadly with promoting safe flight of civil aircraft in air commerce by prescribing, among other things, regulations and minimum standards for practices, methods, and procedures the Administrator finds necessary for safety in air commerce and national security. This regulation is within the scope of that authority, because it removes the prohibition on flight operations in the territory and airspace of Ethiopia north of 12 degrees north latitude by persons described in paragraph 1 of SFAR No. 87 on the basis of the changed safety and security situation, thereby allowing such persons to operate anywhere in the territory and airspace of Ethiopia, subject to the approval of and in accordance with the conditions established by the appropriate authorities of Ethiopia.

##### **I. Overview of Immediately Adopted Final Rule**

This action removes SFAR No. 87 from the CFR. SFAR No. 87 prohibited flight operations within the territory and airspace of Ethiopia north of 12 degrees north latitude by the persons described in paragraph 1 of the rule. SFAR No. 87 imposed no restrictions on operations in

the territory and airspace of Ethiopia south of 12 degrees north latitude. The FAA has determined that the safety and security situation that prompted the FAA to issue SFAR No. 87 has significantly improved, and that it is safe for flights by persons described in paragraph 1 of the rule to resume, subject to the approval of and in accordance with the conditions established by the appropriate authorities of Ethiopia. The FAA finds this action necessary to allow persons described in paragraph 1 of SFAR No. 87 to perform flight operations within the territory and airspace of Ethiopia north of 12 degrees north latitude.

##### **II. Background**

The FAA issued SFAR No. 87 on May 12, 2000 (published May 16, 2000, at 65 FR 31214), due to concerns regarding potential hazards to U.S. civil flight operations within the territory and airspace of Ethiopia north of 12 degrees north latitude. In 1998, a military conflict had erupted between Ethiopia and Eritrea over the exact demarcation of the border between the two countries. On April 30, 2000, peace talks between Ethiopia and Eritrea failed, and the border dispute again escalated to the point where open hostilities began. Armed forces of both countries, which included modern surface-to-air missile systems and interceptor aircraft capable of engaging aircraft at cruising altitudes, were engaged in hostilities near their common border. The FAA was concerned that civil aircraft operating in the region could be threatened by the conflict.

Even in the event of a cease-fire, the FAA was concerned that the heightened state of readiness maintained by the military forces of Ethiopia posed an imminent threat to civil aircraft operations in the area. Prior to their May 2000 mobilization, Ethiopian air defense forces had maintained an already high state of readiness during a prior cease-fire that threatened civil aircraft operating in the northern portion of Ethiopia. The August 29, 1999, downing by Ethiopian military forces of a U.S.-registered Learjet operating in the area, which they had mistaken for an Eritrean reconnaissance aircraft, was evidence of the seriousness of the threat. When it issued SFAR No. 87, the FAA observed that Ethiopia had issued temporary Notices to Airmen (NOTAMs) closing certain routes in the Addis Ababa Flight Information Region. However, the FAA noted that neither the Ethiopian civil aviation authority nor the Ethiopian military had issued formal warnings by NOTAM, in the Ethiopian Aeronautical Information Publication (AIP), or in

<sup>1</sup> Paragraph 1 of SFAR No. 87 states:

“1. *Applicability.* This Special Federal Aviation Regulation (SFAR) No. 87 applies to all U.S. air carriers or commercial operators, all persons exercising the privileges of an airman certificate issued by the FAA unless that person is engaged in the operation of a U.S.-registered aircraft for a foreign air carrier, and all operators using aircraft registered in the United States except where the operator of such aircraft is a foreign air carrier.”

some other forum, of the potentially catastrophic consequences of flying on routes temporarily removed from service. Further, the Government of Ethiopia had rejected the FAA's recommendation to establish a true "no fly" or "danger" zone. The FAA also could not assure that an adequate level of coordination existed between civil air traffic authorities and air defense commanders for civil aircraft overflight, including military rules of engagement, in the event an aircraft strayed from its assigned route of flight. Any lack of coordination could have put aircraft operating over northern Ethiopia at risk of being misidentified by military forces as a threat. Finally, there was no assurance that Ethiopia would follow international standards and recommended practices for the interception and identification of unidentified aircraft in its airspace.

The operational environment for U.S. civil aviation in the area of Ethiopia to which SFAR No. 87 applied has changed significantly since May 2000, which is when the last major military conflict between Ethiopia and Eritrea took place. The following month, the two countries signed a cessation of hostilities agreement. While there are continuing tensions which have led to periodic exchanges of military weapons fire across the Ethiopia-Eritrea border, there have been no further air defense engagements against aircraft. In addition, the Ethiopian government closed certain air routes that cross the border between Ethiopia and Eritrea, and restricted other routes from use by overflying international flights. Ethiopia also closed a portion of an air route running near the border within Ethiopian airspace.

On September 20, 2013, the FAA received a petition for exemption from SFAR No. 87 from Mente, LLC (FAA Docket No. FAA-2013-0839). The FAA requested additional information, and Mente submitted it on November 25, 2013. Mente voluntarily submitted further information on May 20, 2014. The petition requested that the FAA allow Mente to operate flights within the territory and airspace of Ethiopia north of 12 degrees north latitude in support of the philanthropic activities of a U.S. charitable foundation. In part due to the FAA's recognition of the changed operational environment for U.S. civil aviation in northern Ethiopia, on July 8, 2014, the FAA granted Mente's petition for exemption.

On the basis of the above information, the FAA believes that the persons described in paragraph 1 of SFAR No. 87 may now operate safely in the territory and airspace of Ethiopia north

of 12 degrees north latitude, subject to the approval of and in accordance with the conditions established by the appropriate authorities of Ethiopia. By this final rule, SFAR No. 87 is removed from title 14 of the Code of Federal Regulations, part 91.

### **III. Regulatory Evaluation, Regulatory Flexibility Determination, International Trade Impact Assessment, and Unfunded Mandates Assessment**

Changes to Federal regulations must undergo several economic analyses. First, Executive Order 12866 and Executive Order 13563 direct that each Federal agency shall propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 (Pub. L. 96-354), as codified in 5 U.S.C. 601 *et seq.*, requires agencies to analyze the economic impact of regulatory changes on small entities. Third, the Trade Agreements Act of 1979 (Pub. L. 96-39) (19 U.S.C. Chapter 13), prohibits agencies from setting standards that create unnecessary obstacles to the foreign commerce of the United States. In developing U.S. standards, the Trade Agreements Act requires agencies to consider international standards and, where appropriate, that they be the basis of U.S. standards. Fourth, the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), requires agencies to prepare a written assessment of the costs, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of \$100 million or more annually (adjusted for inflation with base year of 1995). This portion of the preamble summarizes the FAA's analysis of the economic impacts of this final rule.

Department of Transportation Order (DOT) 2100.5 prescribes policies and procedures for simplification, analysis, and review of regulations. If the expected cost impact is so minimal that a proposed or final rule does not warrant a full evaluation, this order permits a statement to that effect and the basis for it to be included in the preamble if a full regulatory evaluation of the cost and benefits is not prepared. Such a determination has been made for this final rule. The reasoning for this determination follows:

Flight operations in the territory and airspace of Ethiopia north of 12 degrees north latitude by persons described in paragraph 1 of SFAR No. 87 were prohibited because of the threat posed to U.S. civil aviation by the conflict

between Ethiopia and Eritrea, as well as the heightened state of readiness maintained by the military forces of Ethiopia and the lack of adequate public warnings to civil aviation by the Government of Ethiopia. As described in the Background section of this final rule, the operational environment for U.S. civil aviation in Ethiopia north of 12 degrees north latitude has changed significantly since May 2000, and the FAA believes that persons previously prohibited from operating in that area may now operate safely there, subject to the approval of and in accordance with the conditions established by the appropriate authorities of Ethiopia. The removal of SFAR No. 87 will eliminate the need to fly around the entire area of northern Ethiopia to which the rule applied and to avoid operations in that area even where such operations are permitted by the appropriate authorities of Ethiopia. Accordingly, this rule is cost relieving and, therefore, cost beneficial.

In conducting these analyses, FAA has determined that this final rule is not a "significant regulatory action," as defined in section 3(f) of Executive Order 12866. The rule is also not "significant" as defined in DOT's Regulatory Policies and Procedures. The final rule will not have a significant economic impact on a substantial number of small entities, will not create unnecessary obstacles to international trade and will not impose an unfunded mandate on state, local, or tribal governments, or on the private sector.

#### **A. Regulatory Flexibility Analysis**

The Regulatory Flexibility Act of 1980 (Pub. L. 96-354, "RFA"), 5 U.S.C. 601 *et seq.*, establishes "as a principle of regulatory issuance that agencies shall endeavor, consistent with the objectives of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of the businesses, organizations, and governmental jurisdictions subject to regulation. To achieve this principle, agencies are required to solicit and consider flexible regulatory proposals and to explain the rationale for their actions to assure that such proposals are given serious consideration." The RFA covers a wide-range of small entities, including small businesses, not-for-profit organizations, and small governmental jurisdictions.

Agencies must perform a review to determine whether a rule will have a significant economic impact on a substantial number of small entities. If the agency determines that it will, the agency must prepare a regulatory

flexibility analysis as described in the RFA.

However, if an agency determines that a rule is not expected to have a significant economic impact on a substantial number of small entities, § 605(b) of the RFA provides that the head of the agency may so certify and a regulatory flexibility analysis is not required. The certification must include a statement providing the factual basis for this determination, and the reasoning should be clear.

This rule is cost relieving because it allows more direct flights, which reduces fuel costs. Therefore, as provided in § 605(b), the head of the FAA certifies that this rulemaking will not have a significant economic impact on a substantial number of small entities.

#### *B. International Trade Impact Assessment*

The Trade Agreements Act of 1979 (Pub. L. 96–39, 19 U.S.C. Chapter 13), as amended, prohibits Federal agencies from establishing standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to this Act, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standard has a legitimate domestic objective, such as the protection of safety, and does not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards.

The FAA has assessed the potential effect of this final rule and determined that it will remove a prohibition on flight operations within the territory and airspace of Ethiopia north of 12 degrees north latitude. This action does not impose any new regulatory requirements. Therefore, the rule creates no obstacles to the foreign commerce of the United States and is in compliance with the Trade Agreements Act.

#### *C. Unfunded Mandates Assessment*

Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires each Federal agency to prepare a written statement assessing the effects of any Federal mandate in a proposed or final agency rule that may result in an expenditure of \$100 million or more (in 1995 dollars) in any one year by State, local, and tribal governments, in the aggregate, or by the private sector; such a mandate is deemed to be a “significant regulatory action.” The FAA currently

uses an inflation-adjusted value of \$151.0 million in lieu of \$100 million. This final rule does not contain such a mandate; therefore, the requirements of Title II of the Act do not apply.

#### *D. Paperwork Reduction Act*

The Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. 3501 *et seq.*) requires that the FAA consider the impact of paperwork and other information collection burdens imposed on the public. The FAA has determined that there is no new requirement for information collection associated with this immediately adopted final rule.

#### *E. International Compatibility and Cooperation*

In keeping with U.S. obligations under the Convention on International Civil Aviation (the “Chicago Convention”), it is FAA policy to conform to International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. The FAA has determined that there are no ICAO Standards and Recommended Practices that correspond to this proposed regulation.

#### *F. Environmental Analysis*

FAA Order 1050.1E identifies FAA actions that are categorically excluded from preparation of an environmental assessment or environmental impact statement under the National Environmental Policy Act (“NEPA”) (Pub. L. 91–190, 42 U.S.C. Chapter 55) in the absence of extraordinary circumstances. The FAA has reviewed the removal of SFAR No. 87 and determined that this action is categorically excluded from further environmental review according to FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 312(f). The FAA has examined possible extraordinary circumstances and determined that no such circumstances exist. After careful and thorough consideration of the proposed action, the FAA finds that the proposed Federal action does not require preparation of an EA or EIS in accordance with the requirements of NEPA, Council on Environmental Quality regulations, and FAA Order 1050.1E.

### **IV. Executive Order Determinations**

#### *A. Executive Order 13132, Federalism*

The FAA has analyzed this immediately adopted final rule under the principles and criteria of Executive Order 13132, Federalism. The agency has determined that this action will not have a substantial direct effect on the

States, or the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government, and, therefore, does not have Federalism implications.

#### *B. Executive Order 13211, Regulations That Significantly Affect Energy Supply, Distribution, or Use*

The FAA analyzed this immediately adopted final rule under Executive Order 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use (May 18, 2001). The agency has determined that this rule is not a “significant energy action” under the executive order, and it is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

#### *C. Executive Order 13609, Promoting International Regulatory Cooperation*

Executive Order 13609, Promoting International Regulatory Cooperation, (77 FR 26413, May 4, 2012) promotes international regulatory cooperation to meet shared challenges involving health, safety, labor, security, environmental, and other issues and to reduce, eliminate, or prevent unnecessary differences in regulatory requirements. The FAA has analyzed this action under the policies and agency responsibilities of Executive Order 13609, and has determined that this action would have no effect on international regulatory cooperation.

### **V. How To Obtain Additional Information**

#### *A. Rulemaking Documents*

An electronic copy of a rulemaking document may be obtained by using the Internet—

1. Search the Federal Document Management System (FDMS) Portal (<http://www.regulations.gov>);
2. Visit the FAA’s Regulations and Policies Web page at [http://www.faa.gov/regulations\\_policies](http://www.faa.gov/regulations_policies) or
3. Access the Government Printing Office’s Web page at: <http://www.gpo.gov/fdsys/>.

Copies may also be obtained by sending a request (identified by notice, amendment, or docket number of this rulemaking) to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267–9680.

#### *B. Small Business Regulatory Enforcement Fairness Act*

The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) (Pub. L. 104–121) (set forth as

a note to 5 U.S.C. 601), as amended, requires the FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. A small entity with questions regarding this document may contact its local FAA official, or the person listed under the **FOR FURTHER INFORMATION CONTACT** section at the beginning of the preamble. To find out more about SBREFA on the Internet, visit [http://www.faa.gov/regulations\\_policies/rulemaking/sbre\\_act/](http://www.faa.gov/regulations_policies/rulemaking/sbre_act/).

#### List of Subjects in 14 CFR Part 91

Air traffic control, Aircraft, Airmen, Airports, Aviation safety, Freight, Ethiopia.

#### The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends chapter I of Title 14, Code of Federal Regulations as follows:

#### PART 91—GENERAL OPERATING AND FLIGHT RULES

■ 1. The authority citation for part 91 is amended to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 1155, 40101, 40103, 40105, 40113, 40120, 44101, 44111, 44701, 44704, 44709, 44711, 44712, 44715, 44716, 44717, 44722, 46306, 46315, 46316, 46504, 46506–46507, 47122, 47508, 47528–47531, 47534, articles 12 and 29 of the Convention on International Civil Aviation (61 Stat. 1180), (126 Stat. 11).

#### Special Federal Aviation Regulation No. 87—[Removed]

■ 2. Remove SFAR No. 87 from part 91.

Issued under authority provided by 49 U.S.C. 106(f), 40101(d)(1), 40105(b)(1)(A), and 44701(a)(5), in Washington, DC, on January 27, 2015.

Michael P. Huerta,  
Administrator.

[FR Doc. 2015–02193 Filed 2–3–15; 8:45 am]

BILLING CODE 4910–13–P

#### DEPARTMENT OF HOMELAND SECURITY

##### Coast Guard

#### 33 CFR Parts 151, 155, 156, and 157

[Docket No. USCG–2010–0194]

RIN 1625–AB57

#### MARPOL Annex I Amendments

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** In this final rule the Coast Guard is updating our regulations to

harmonize U.S. regulations with international conventions regarding oil pollution. We are amending the regulations covering Title 33: Navigation and Navigable Waters to align with recent amendments to Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, which were adopted by the International Maritime Organization's Marine Environment Protection Committee during its 52nd, 54th, 55th, and 59th sessions. This final rule also amends sections of the Vessel Response Plan regulations to include the Safety of Life at Sea Material Safety Data Sheets as an equivalent hazardous communications standard.

**DATES:** This final rule is effective May 5, 2015. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register on May 5, 2015.

**ADDRESSES:** Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG–2010–0194 and are available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet by going to <http://www.regulations.gov>, inserting USCG–2010–0194 in the “Search” box, and then clicking “Search.”

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email LCDR William Nabach, Office of Operating and Environmental Standards (CG–OES–2), Coast Guard; telephone 202–372–1386, email [William.A.Nabach@uscg.mil](mailto:William.A.Nabach@uscg.mil). If you have questions on viewing the docket, call Ms. Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents for Preamble

- I. Abbreviations
- II. Regulatory History
- III. Background
  - A. MARPOL 73/78
  - B. SOLAS 1974
- IV. Discussion of Comments and Changes
  - A. STS Operations
  - B. Oil Record Book
  - C. SOLAS Material Safety Data Sheets
  - D. Other Issues Raised in Comments
- V. Incorporation by Reference
- VI. Regulatory Analyses
  - A. Regulatory Planning and Review
  - B. Small Entities

- C. Assistance for Small Entities
- D. Collection of Information
- E. Federalism
- F. Unfunded Mandates Reform Act
- G. Taking of Private Property
- H. Civil Justice Reform
- I. Protection of Children
- J. Indian Tribal Governments
- K. Energy Effects
- L. Technical Standards
- M. Environment

#### I. Abbreviations

APPS Act to Prevent Pollution from Ships  
CFR Code of Federal Regulations  
COI Collection of Information  
COTP Captain of the Port  
FR Federal Register  
GHS Globally Harmonized System of Classification and Labeling of Chemicals  
HCS Hazard Communication Standard  
IMO International Maritime Organization  
MARPOL 73/78 International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating to that Convention  
MSC IMO Maritime Safety Committee  
MSDS Material Safety Data Sheets  
MEPC IMO Marine Environment Protection Committee  
NPRM Notice of Proposed Rulemaking  
OCIMF Oil Companies International Marine Forum  
OCMI Officer in Charge, Marine Inspection  
OSHA Occupation Safety and Health Administration  
POAC Person in Overall Advisory Control  
PSC Port state control  
§ Section symbol  
SDS Safety Data Sheets  
SOLAS 1974 International Convention for the Safety of Life at Sea 1974  
STBL Ship to be Lightered  
SS Service Ship  
STS Ship-to-Ship transfer  
U.S.C. United States Code

#### II. Regulatory History

On April 9, 2012, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled MARPOL Annex I Amendments in the **Federal Register** (77 FR 21360). The Coast Guard also published a notice on July 26, 2012 (77 FR 43741) extending the public comment period for an additional 60 days so that the public had time to review the Regulatory Assessment that was added to the docket shortly after the NPRM was published.

We received 12 comment letters with 31 discrete comments on the proposed rule. No public meeting was requested and none was held.

#### III. Background

Protection of the marine environment and maritime safety are two of the primary missions of the Coast Guard. Specific Coast Guard regulations are designed to minimize the amount of pollution produced by ships at sea and to protect mariners. Many of the Coast