

(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:

**Embraer S.A. (Type Certificate Previously Held by Yaborã Indústria Aeronáutica S.A.; Embraer S.A.):** Docket No. FAA–2022–1163; Project Identifier MCAI–2022–00571–T.

#### (a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by April 10, 2023.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Embraer S.A. (Type Certificate previously held by Yaborã Indústria Aeronáutica S.A.; Embraer S.A.) Model ERJ 170–100 LR, –100 STD, –100 SE, and –100 SU airplanes; and Model ERJ 170–200 LR, –200 SU, –200 STD, and –200 LL airplanes, certificated in any category, as identified in Agência Nacional de Aviação Civil (ANAC) AD 2022–04–01R1, effective October 31, 2022 (ANAC AD 2022–04–01R1).

#### (d) Subject

Air Transport Association (ATA) of America Code 27, Flight controls.

#### (e) Unsafe Condition

This AD was prompted by reports indicating that certain flight control electrical harnesses were routed incorrectly, providing inadequate separation from other electrical harness installations. The FAA is issuing this AD to address the incorrect routing of flight control electrical harnesses near critical fuel quantity indication harnesses, which could possibly result in fuel tank ignition and subsequent loss 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, ANAC AD 2022–04–01R1.

#### (h) Exceptions to ANAC AD 2022–04–01R1

(1) Where ANAC AD 2022–04–01R1 refers to April 29, 2022 (the effective date of ANAC AD 2022–04–01), this AD requires using the effective date of this AD.

(2) Where ANAC AD 2022–04–01R1 refers to its effective date, this AD requires using the effective date of this AD.

(3) Where ANAC AD 2022–04–01R1 refers to August 3, 2022 (the Revision 02 date of Embraer Service Bulletin), the correct date is August 5, 2022.

(4) Paragraph (c) of ANAC AD 2022–04–01R1 does not apply to this AD.

#### (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 International Validation Branch, send it to the attention of the person identified in paragraph (j) 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 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 ANAC; or ANAC’s authorized Designee. If approved by the ANAC Designee, the approval must include the Designee’s authorized signature.

(3) *Required for Compliance (RC):* Except as specified by paragraph (i)(2) of this AD: if any service information contains steps that are labeled as RC, the provisions of paragraphs (j)(3)(i) and (ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or substep is labeled “RC Exempt,” then the RC requirement is removed from that step or substep. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled as RC may be deviated from using accepted methods in accordance with the operator’s maintenance or inspection program without obtaining approval of an AMOC, provided the RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

#### (j) Additional Information

For more information about this AD, contact Hassan M. Ibrahim, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3653; email [Hassan.M.Ibrahim@faa.gov](mailto:Hassan.M.Ibrahim@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) Agência Nacional de Aviação Civil (ANAC) AD 2022–04–01R1, effective October 31, 2022.

(ii) [Reserved]

(3) For ANAC AD 2022–04–01, contact National Civil Aviation Agency (ANAC), Aeronautical Products Certification Branch (GGCP), Rua Dr. Orlando Feirabend Filho, 230—Centro Empresarial Aquarius—Torre B—Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246–190—São José dos Campos—SP, Brazil; telephone 55 (12) 3203–6600; email [pac@anac.gov.br](mailto:pac@anac.gov.br); website [anac.gov.br/en/](http://anac.gov.br/en/). You may find this ANAC AD on the ANAC website at [sistemas.anac.gov.br/certificacao/DA/DAE.asp](http://sistemas.anac.gov.br/certificacao/DA/DAE.asp).

(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](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

Issued on February 16, 2023.

**Christina Underwood,**

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

[FR Doc. 2023–03625 Filed 2–23–23; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2023–0099; Airspace Docket No. 22–ANE–12]

**RIN 2120–AA66**

#### Establishment of Class E Airspace; Ellsworth, Augusta, and Waterville, ME

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

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

**SUMMARY:** This action proposes to establish Class E airspace extending upward from 700 feet above the surface for Maine Coast Memorial Heliport, Ellsworth, Maine; Maine General Medical Center/Augusta Heliport, Augusta, Maine; Maine General Medical Center-Waterville Heliport, Waterville, Maine, as instrument approach procedures have been designed for each heliport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

**DATES:** Comments must be received on or before April 10, 2023.

**ADDRESSES:** Send comments on this proposal to: the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590; Telephone: (800) 647-5527, or (202) 366-9826. You must identify Docket No. FAA-2023-0099; Airspace Docket No. 22-ANE-12 at the beginning of your comments. You may also submit comments through the internet at [www.regulations.gov](http://www.regulations.gov).

FAA Order JO 7400.11G Airspace Designations and Reporting Points and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; Telephone: (202) 267-8783.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305-6364.

#### **SUPPLEMENTARY INFORMATION:**

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

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would establish Class E airspace extending upward from 700 feet above the surface for Maine Coast Memorial Heliport, Ellsworth, Maine, and Maine General

Medical Center/Augusta Heliport, Augusta, Maine, and Maine General Medical Center-Waterville Heliport, Waterville, Maine, to support IFR operations in the area. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

##### **Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide a factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (Docket No. FAA-2023-0099; Airspace Docket No. 22-ANE-12) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for the address and phone number). You may also submit comments through the internet at [www.regulations.gov](http://www.regulations.gov).

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2023-0099; Airspace Docket No. 22-ANE-12." The postcard will be dated/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this document may be changed in light of the comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### **Availability of NPRMs**

An electronic copy of this document may be downloaded through the internet at [www.regulations.gov](http://www.regulations.gov). Recently published rulemaking documents can also be accessed through the FAA's web page at [www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received, and any final disposition in

person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except for federal holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except federal holidays at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, GA 30337.

##### **Incorporation by Reference**

Class E airspace designations are published in Paragraph 6005 of FAA Order JO 7400.11. This document proposes to amend FAA Order JO 7400.11G, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022. These updates would be published subsequently in the next update to FAA Order JO 7400.11. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document.

FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

##### **The Proposal**

The FAA proposes an amendment to 14 CFR part 71 to establish Class E airspace extending upward from 700 feet above the surface for Maine Coast Memorial Heliport, Ellsworth, Maine; Maine General Medical Center/Augusta Heliport, Augusta, Maine; and Maine General Medical Center-Waterville Heliport, Waterville, Maine, as instrument approach procedures have been designed for each heliport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

##### **Regulatory Notices and Analyses**

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air

navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," prior to any FAA final regulatory action.

#### Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

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

##### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### ANE ME E5 Ellsworth, ME [Established]

Maine Coast Memorial Heliport, ME  
(Lat. 44°32'48" N, long. 68°25'03" W)  
Point in Space Coordinates  
(Lat. 44°33'09" N; long. 68°25'17" W)

That airspace extending upward from 700 feet above the surface within a 6.0-mile radius of the point in space coordinates for Maine Coast Memorial Heliport.

#### ANE ME E5 Augusta, ME [Established]

Maine General Medical Center/Augusta Heliport, ME  
(Lat. 44°21'43" N, long. 69°46'47" W)  
Point in Space Coordinates  
(Lat. 44°21'44" N; long. 69°47'35" W)

That airspace extending upward from 700 feet above the surface within a 6.0-mile radius of the point in space coordinates for Maine General Medical Center/Augusta Heliport.

#### ANE ME E5 Waterville, ME [Established]

Maine General Medical Center-Waterville Heliport, ME  
(Lat. 44°33'58" N, long. 69°38'52" W)  
Point in Space Coordinates  
(Lat. 44°33'23" N; long. 69°38'30" W)

That airspace extending upward from 700 feet above the surface within a 6.0-mile radius of the point in space coordinates for Maine General Medical Center-Waterville Heliport.

Issued in College Park, Georgia, on February 15, 2023.

**Lisa Burrows,**

*Manager, Airspace & Procedures Team North, Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2023–03585 Filed 2–23–23; 8:45 am]

**BILLING CODE 4910–13–P**

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 50

[EPA–HQ–OAR–2022–0007; FRL 9344–01–OAR]

RIN 2060–AV63

#### Reference Measurement Principle and Calibration Procedure for the Measurement of Ozone in the Atmosphere (Chemiluminescence Method)

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to update the current ozone absorption cross-section to the recommended consensus-based cross-section value of  $1.1329 \times 10^{-17}$  cm<sup>2</sup> molecule<sup>-1</sup> or 304.39 atm<sup>-1</sup> cm<sup>-1</sup>, with an uncertainty of 0.94 atm<sup>-1</sup> cm<sup>-1</sup>. The new value is 1.2% lower than the current value of 308 atm<sup>-1</sup> cm<sup>-1</sup>, and reduces the uncertainty in the value to 0.31%. The adoption of this updated ozone absorption cross-section could result in increases in measured ozone concentrations but given the existing sources of potential variability in monitoring data, it is unlikely that there would be any consistent measurable and predictable effect on reported data. The EPA is also proposing to update the dates of publication for two references, add a new reference for the updated cross-section value, and move the figures inadvertently placed in Section 6.0 *References* to a new Section 7.0 *Figures*.

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

*Public hearing:* If requested by March 1, 2023, the EPA will hold a virtual

public hearing on March 17, 2023. Please refer to the **SUPPLEMENTARY INFORMATION** section for additional information on the public hearing.

#### ADDRESSES:

*Comments.* You may send your comments, identified by Docket ID No. EPA–HQ–OAR–2022–0007, by any of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov/> (our preferred method). Follow the online instructions for submitting comments.

- *Email:* [a-and-r-Docket@epa.gov](mailto:a-and-r-Docket@epa.gov). Include Docket ID No. EPA–HQ–OAR–2022–0007 in the subject line of the message.

- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Air and Radiation Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

- *Hand Delivery or Courier (by scheduled appointment only):* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operations are 8:30 a.m.—4:30 p.m., Monday–Friday (except Federal Holidays).

*Instructions:* All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to <https://www.regulations.gov/>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the "Public Participation" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Ms. Joann Rice, Office of Air Quality Planning and Standards, Air Quality Assessment Division, Ambient Air Monitoring Group (C304–06), Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–3372; email address: [rice.joann@epa.gov](mailto:rice.joann@epa.gov).

**SUPPLEMENTARY INFORMATION:** The supplementary information in this preamble is organized as follows:

- I. Public Participation
  - A. Written Comments
  - B. Participation in Virtual Public Hearing
- II. Background and Proposal
- III. Statutory and Executive Orders Reviews
  - A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review
  - B. Paperwork Reduction Act (PRA)
  - C. Regulatory Flexibility Act (RFA)
  - D. Unfunded Mandates Reform Act (UMRA)
  - E. Executive Order 13132: Federalism