

(2) On the applicable date selected for livestock in inventory between April 16, 2020, and May 14, 2020.

\* \* \* \* \*

#### § 9.2 [Amended]

■ 3. In § 9.2, in the definition of “Non-specialty crop”, remove the words “Malting barley” and add the word “Barley” in their place.

■ 4. In § 9.5, in Table 2 to paragraph (h), remove the entry for “Barley (malting)”

and add an entry in alphabetical order for “Barley”.

The addition reads as follows.

#### § 9.5 Calculation of payments.

\* \* \* \* \*

(h) \* \* \*

TABLE 2 TO PARAGRAPH (h)—PAYMENT RATES FOR NON-SPECIALTY CROPS, DAIRY, LIVESTOCK, AND WOOL

Commodity	Unit	CARES Act payment rate (\$/unit)	CCC payment rate (\$/unit)
Barley .....	Bu	0.34	0.37
* * * * *			

\* \* \* \* \*

Stephen L. Censky,

Vice Chairman, Commodity Credit Corporation, and Deputy Secretary, U.S. Department of Agriculture.

[FR Doc. 2020-20802 Filed 9-17-20; 8:45 am]

BILLING CODE 3410-05-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2020-0787; Project Identifier MCAI-2020-01090-T; Amendment 39-21231; AD 2020-18-10]

RIN 2120-AA64

### Airworthiness Directives; Airbus SAS Airplanes

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for all Airbus SAS Model A319-151N and -153N; A320-251N, -252N, and -253N; and A321-251N, -252N, -253N, -251NX, -252NX, and -253NX airplanes. This AD was prompted by a report indicating that Kathon FP 1.5 biocide added to fuel and running through an airplane's engines can lead to engine performance degradation. This AD requires removing Kathon FP 1.5 biocide from the fuel tanks and engines and prohibits operation of an airplane with Kathon FP 1.5 biocide in a fuel tank or engine, as specified in a European Union Aviation Safety Agency (EASA) AD 2020-0176, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD becomes effective October 6, 2020.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 6, 2020.

The FAA must receive comments on this AD by November 5, 2020.

**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:* U.S. Department of Transportation, Docket Operations, M-30, 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.

For material incorporated by reference (IBR) in this AD, contact the 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 IBR material on the EASA website at <https://ad.easa.europa.eu>. You may view this IBR 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 on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0787.

### Examining the AD Docket

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0787; 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 AD, any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

### FOR FURTHER INFORMATION CONTACT:

Sanjay Ralhan, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3223; email [Sanjay.Ralhan@faa.gov](mailto:Sanjay.Ralhan@faa.gov).

### SUPPLEMENTARY INFORMATION:

#### Discussion

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2020-0176, dated August 5, 2020 (also referred to as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Airbus SAS Model A319-151N and -153N; A320-251N, -252N, and -253N; and A321-251N, -252N, -253N, -251NX, -252NX, and -253NX airplanes.

This AD was prompted by a report indicating that Kathon FP 1.5 biocide added to fuel and running through an airplane's engines can lead to engine performance degradation. The FAA is issuing this AD to address airplanes operated with fuel mixed with Kathon FP 1.5 biocide, which could result in reduced engine performance, resulting in reduced controllability of the airplane. See the MCAI for additional background information.

**Related IBR Material Under 1 CFR Part 51**

EASA AD 2020–0176 describes procedures for removing Kathon FP 1.5 biocide from the fuel tanks and engines. 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 AD because the FAA evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

**Requirements of This AD**

This AD requires accomplishing the actions specified in EASA AD 2020–0176 described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD.

**Explanation of Required Compliance Information**

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA initially worked with Airbus and EASA to develop a process to use certain EASA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has since coordinated with other manufacturers and civil aviation authorities (CAAs) to use this process. As a result, EASA AD 2020–0176 is incorporated by reference in this final rule. This AD, therefore, requires compliance with EASA AD 2020–0176 in its entirety, through that incorporation, except for any differences identified as exceptions in the regulatory text of this AD. Using common terms that are the same as the heading of a particular section in the EASA AD 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 the EASA AD. Service information specified in EASA AD 2020–0176 that is required for compliance with EASA AD 2020–0176 is available on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2020–0787.

**Justification for Immediate Adoption and Determination of the Effective Date**

Section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) 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." Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to make rules effective in less than thirty days, upon a finding of good cause.

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because airplanes operated with fuel mixed with Kathon FP 1.5 biocide could experience reduced engine performance, resulting in reduced controllability of the airplane. In addition, the compliance time for the required action is shorter than the time necessary for the public to comment and for publication of the final rule. Accordingly, notice and opportunity for prior public comment are impracticable and contrary to the public interest pursuant to 5 U.S.C. 553(b)(3)(B).

In addition, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days, for the same reasons the FAA found good cause.

**Comments Invited**

This AD is a final rule that involves requirements affecting flight safety, and the FAA did not precede it by notice and opportunity for public comment. The FAA invites you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA–2020–0787; Project Identifier

MCAI–2020–01090–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. 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 consider all comments received by the closing date and may amend this AD based on those comments.

The FAA will post all comments the FAA receives, without change, to <https://www.regulations.gov>, including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact the FAA receives about this AD.

**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 AD 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 AD, 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 AD. Submissions containing CBI should be sent to the person identified in the **FOR FURTHER INFORMATION CONTACT** section. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

**Regulatory Flexibility Act (RFA)**

The requirements of the RFA do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without notice and comment, RFA analysis is not required.

**Costs of Compliance**

The FAA estimates that this AD affects 163 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

## ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Up to 24 work-hours × \$85 per hour = Up to \$2,040 .....	\$30	Up to \$2,070 .....	Up to \$337,410.

**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 AD will not have federalism implications under Executive Order 13132. This AD will 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 that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866, and
- (2) Will not affect intrastate aviation in Alaska.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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 (AD):

**2020–18–10 Airbus SAS:** Amendment 39–21231; Docket No. FAA–2020–0787; Project Identifier MCAI–2020–01090–T.

**(a) Effective Date**

This AD becomes effective October 6, 2020.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to all of the Airbus SAS airplanes, certificated in any category, specified in paragraphs (c)(1) through (3) of this AD.

- (1) Model A319–151N and –153N airplanes.
- (2) Model A320–251N, –252N, and –253N airplanes.
- (3) Model A321–251N, –252N, –253N, –251NX, –252NX, and –253NX airplanes.

**(d) Subject**

Air Transport Association (ATA) of America Code 28, Fuel.

**(e) Reason**

This AD was prompted by a report indicating that Kathon FP 1.5 biocide added to fuel and running through an airplane's engines can lead to engine performance degradation. The FAA is issuing this AD to address airplanes operated with fuel mixed with Kathon FP 1.5 biocide, which could result in reduced engine performance, resulting in reduced controllability 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 2020–0176, dated August 5, 2020 ("EASA AD 2020–0176").

**(h) Exceptions to EASA AD 2020–0176**

(1) Where EASA AD 2020–0176 refers to its effective date, this AD requires using the effective date of this AD.

(2) The "Remarks" section of EASA AD 2020–0176 does not apply to this AD.

**(i) Special Flight Permit**

Special flight permits, as described in 14 CFR 21.197 and 21.199, are not allowed until the applicable actions required by paragraph (g) of this AD have been accomplished.

**(j) Other FAA 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 local Flight Standards District 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) of this AD. Information may be emailed to: 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 Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* For any service information referenced in EASA AD 2020–0176 that contains RC procedures and tests: Except as required by paragraph (j)(2) of this AD, RC procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified 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 procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

**(k) Related Information**

For more information about this AD, contact Sanjay Ralhan, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3223; email [Sanjay.Ralhan@faa.gov](mailto:Sanjay.Ralhan@faa.gov).

**(l) 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) European Union Aviation Safety Agency (EASA) AD 2020-0176, dated August 5, 2020.

(ii) [Reserved]

(3) For information about EASA AD 2020-0176, contact the 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>.

(4) 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 on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0787.

(5) You may view this material that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on August 25, 2020.

**Lance T. Gant,**

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

[FR Doc. 2020-20680 Filed 9-18-20; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2020-0330; Product Identifier 2020-NM-031-AD; Amendment 39-21236; AD 2020-18-15]

**RIN 2120-AA64**

#### Airworthiness Directives; Airbus SAS Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Airbus SAS Model A350-941 and -1041 airplanes. This AD was prompted by a report indicating that when the number 2 engine thrust reverser (T/R) was opened, the right-hand T/R hinge nut located at position 4 was found detached; investigation revealed that certain nuts could have been installed with noncompliant locking features, or with locking features that could degrade quicker than anticipated. This AD requires replacing any existing nut on

the T/R hinge with a new nut, installing a new nut and washer if necessary, and applying a torque stripe at each T/R hinge location, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective October 26, 2020.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 26, 2020.

**ADDRESSES:** For the material incorporated by reference (IBR) in this AD, contact the 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 IBR material on the EASA website at <https://ad.easa.europa.eu>. You may view this IBR 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 on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0330.

#### Examining the AD Docket

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0330; 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 final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Arrigotti, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3218; email [kathleen.arrigotti@faa.gov](mailto:kathleen.arrigotti@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Discussion

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2020-0028, dated February 14, 2020 ("EASA AD 2020-0028") (also referred to as the Mandatory Continuing

Airworthiness Information, or "the MCAI"), to correct an unsafe condition for certain Airbus SAS Model A350-941 and -1041 airplanes.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Airbus SAS Model A350-941 and -1041 airplanes. The NPRM published in the **Federal Register** on April 16, 2020 (85 FR 21115). The NPRM was prompted by a report indicating that when the number 2 engine T/R was opened, the right-hand T/R hinge nut located at position 4 was found detached; investigation revealed that certain nuts could have been installed with noncompliant locking features, or with locking features that could degrade quicker than anticipated. The NPRM proposed to require inspecting each T/R hinge for the presence of a nut and washer, installing a new nut and washer if necessary, and applying a torque stripe at each T/R hinge location, as specified in an EASA AD.

The FAA is issuing this AD to address this condition, which, if occurring on multiple hinge attachments, could lead to in-flight loss of a T/R, consequent structural damage to the airplane, and possible injury to persons on the ground. See the MCAI for additional background information.

#### Comments

The FAA gave the public the opportunity to participate in developing this final rule. The following presents the comments received on the NPRM and the FAA's response to each comment.

#### Support for the NPRM

The Air Line Pilots Association, International (ALPA), Manikandan Raja, and an anonymous commenter stated support for the NPRM.

#### Request To Exempt Operators From Torque Stripe Requirement

Delta Airlines (DAL) asked that operators be exempt from applying the torque stripe required by EASA AD 2020-0028 (referenced in the proposed AD as the appropriate source of service information for accomplishing the required actions). DAL stated that there are no mandated requirements in EASA AD 2020-0028 or the service information referenced in EASA AD 2020-0028 for repetitive inspections of the nut or verification for the presence of an intact torque stripe to ensure the nut has not rotated over time. DAL added that the current aircraft maintenance manual (AMM) instructs operators to apply a torque stripe at the