

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 11****(Docket No. 21141, Amdt. No. 11-21)****Certain Domestic and Foreign Manufactured Products; Procedural Rules; "Lead Region" Concept****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final rule.

SUMMARY: This amendment to Part 11 of the Federal Aviation Regulations (FARs) will permit a more expeditious and uniform issuance of Airworthiness Directives (ADs) for certain domestic and foreign manufactured products. The amendment reflects the organization changes of the "lead region" concept set forth in a recent Administrator's Order.

DATES: Effective date: December 8, 1980. Comments must be received on or before February 9, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. James Zahringer, Technical Standards Branch (AWS-110), Aircraft Engineering Division, Office of Airworthiness, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591, Telephone (202) 426-8374.

SUPPLEMENTARY INFORMATION: Since these amendments affect only internal procedures of the Federal Aviation Administration and impose no additional burden on any person, notice and public procedure are unnecessary and good cause exists for making them effective in less than 30 days. However, the FAA invites interested persons to submit such written data, views, or arguments as they may desire regarding these amendments. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-204, 800 Independence Avenue

S.W., Washington, D.C. 20591. All communications received on or before the closing date for comments will be considered by the Administrator and these amendments may be changed in the light of the comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

The current procedures for issuing Airworthiness Directives (ADs) were established by Amendment 11-6 to Part 11 of the FAR. Under FAR Part 11, ADs are issued by domestic FAA Regional Offices for products for which the office has certification responsibility. I.e., the product was issued a type certificate by that office or it was manufactured within the jurisdiction of that office. In addition, the FAA Washington Headquarters office issues ADs for products under the purview of FAA Regional Offices located in Europe, Alaska, and Hawaii. The initial reason for this procedure was that these offices did not have General Counsel representation for the necessary legal review of proposed ADs.

The FAA was criticized for the inconsistency in the various regions' application of AD policies and procedures which resulted from operation under Amendment 11-6. By Order 8000.44A, dated May 30, 1980, the Administrator implemented the lead region concept, in which certain FAA Regional Offices were designated as certifying regions and "lead regions" to perform regional and national aircraft certification program functions that would otherwise be accomplished by more than one region or in the FAA Washington Headquarters. The Order responds to the complaint of inconsistency, and reflects the Administrator's stated goals of greater agency efficiency and uniformity in developing and updating regulations and minimum standards, issuing ADs, and resolving precedent-setting type certification issues. As stated in the Order, improvement in these areas can best be realized through a utilization of regional engineering and manufacturing staff elements having nationally recognized areas of special expertise. For example, certification experience with transport category airplanes of over 75,000 pounds certificated takeoff weight exists almost entirely in the Western and Northwest Regions. The workload for this type of airplane has been shifted from the Western Region to the Northwest Region, and the Order has centralized the primary certification responsibility for such airplanes in the Northwest Region. Thus, certification of

all airplanes over 75,000 pounds certificated takeoff weight manufactured in any region (such as the DC-10 and L1011, which are manufactured in California), and all transports which are foreign manufactured, regardless of weight, will be handled by the Northwest Region. Certification authority includes issuing ADs for these aircraft. The Northwest Region has also been designated as the "lead region" for all FAR Part 25 aircraft, making it responsible for advising and assisting other certifying regions on all type certification projects under Part 25.

Similarly, ADs for foreign manufactured products will be issued by the region having lead region responsibility over the type of product involved. Exceptions to this are ADs issued for Canadian manufactured helicopters and small airplanes, which will be issued by the FAA Eastern Region. Under Order 8000.44A, therefore, the FAA Washington Headquarters will no longer issue ADs for most foreign manufactured products, although it will retain the authority to issue ADs on its own initiative. This amendment to Part 11 implements this transfer.

Under the current rule, the Alaskan and Pacific regions do not have authority to issue ADs. Most of the products which these regions are involved with are foreign-manufactured, and under Order 8000.44A, ADs for these foreign products will be issued by the appropriate lead regions. However, the Alaskan and Pacific regions will have the authority to issue ADs for domestic products for which they have certification authority.

Since this amendment concerns internal procedures of the FAA, it will have no impact on the public, and no regulatory evaluation is required under Executive Order 12044, as implemented by the Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

The Amendment

Accordingly, Subpart E of Part 11 of the Federal Aviation Regulations (14 CFR Part 11) is amended as follows, effective December 8, 1980:

§ 11.81 [Amended]

1. By revising § 11.81(b) to read as follows:

• • • • •
(b) For the purposes of this subpart, "Director" means the Director of Airworthiness, or a Regional Director of a region within the 50 states.
• • • • •

2. By redesignating paragraph (c) of § 11.81 as paragraph (d), and adding new paragraph (c) to read as follows:

(c) The authority for issuing Airworthiness Directives is limited to the following persons:

- (1) The Director of Airworthiness; and
- (2) Regional Directors, for products under the authority of those regions, as determined by the Administrator.

(Sec. 313(a), 314(a), 601 through 610, 1102, the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Note.—The Federal Aviation Administration has determined that this document involves a regulation that is not significant under Executive Order 12044, as implemented by the Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). In addition, since this document imposes no additional burden on any person, the Federal Aviation Administration has determined that the economic impact is so minimal that no economic evaluation is required.

Issued in Washington, D.C., on December 2, 1980.

Langhorne Bond,
Administrator.

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