

date of Requirements Bulletin 747–57A2363 RB,” this AD requires using “the effective date of this AD.”

(2) Where Boeing Alert Requirements Bulletin 747–57A2363 RB, dated December 23, 2019, specifies contacting Boeing for repair instructions: This AD requires doing the repair before further flight using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

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

(1) The Manager, Seattle ACO 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 manager of the certification office, send it to the attention of the person identified in paragraph (j)(1) 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, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

#### (j) Related Information

(1) For more information about this AD, contact Eric Lin, Aerospace Engineer, Airframe Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206–231–3523; email: [eric.lin@faa.gov](mailto:eric.lin@faa.gov).

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; internet <https://www.myboeingfleet.com>. You may view this referenced 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.

Issued on June 15, 2020.

**Lance T. Gant,**

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2020–13973 Filed 6–29–20; 8:45 am]

BILLING CODE 4910–13–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2019–0484; Product Identifier 2020–NM–051–AD]

RIN 2120–AA64

#### Airworthiness Directives; Airbus SAS 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 all Airbus SAS Model A330–200, A330–200 Freighter, A330–300, A340–200, A340–300, A340–500, and A340–600 series airplanes. This proposed AD was prompted by a report that an airplane failed to extend its nose landing gear (NLG) using the free fall method, due to loss of the green hydraulic system. This proposed AD would require repetitive tests of affected free fall actuators (FFA), and replacement of any affected FFA with a serviceable FFA, as specified in a European Union Aviation Safety Agency (EASA) AD, which will be incorporated by reference. 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 August 14, 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:** Deliver to Mail address above 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 89990 1000; 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–2019–0484.

#### 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–2019–0484; 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, 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:

Vladimir Ulyanov, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3229; email [vladimir.ulyanov@faa.gov](mailto:vladimir.ulyanov@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 the **ADDRESSES** section. Include “Docket No. FAA–2019–0484; Product Identifier 2020–NM–051–AD” at the beginning of your comments. The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. The FAA will consider all comments received by the closing date and may amend this NPRM 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 NPRM.

#### Discussion

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2020–0076, dated March 30, 2020 (“EASA AD 2020–0076”) (also referred to as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Airbus SAS Model A330–200, A330–200 Freighter, A330–300, A340–200, and A340–300 series airplanes; Model A340–541 and –542 airplanes,

and Model A340–642 and –643 airplanes. Airbus SAS Model A340–542 and A340–643 airplanes are not certified by the FAA and are not included on the U.S. type certificate data sheet; this proposed AD therefore does not include those airplanes in the applicability.

This proposed AD was prompted by a report that an airplane failed to extend its NLG using the free fall method, due to loss of the green hydraulic system. Investigation results identified that the magnets on certain FFAs were found detached on both electrical motors. The FAA is proposing this AD to address detached magnets on both electrical motors of the FFAs, which could prevent landing gear extension by the free fall method, possibly resulting in loss of control of the airplane after landing. See the MCAI for additional background information.

The FAA issued a related NPRM and supplemental NPRM (SNPRM) that proposed to amend 14 CFR part 39 by adding an AD that would apply to all Airbus SAS Model A330–200, A330–200 Freighter, A330–300, A340–200, A340–300, A340–500, and A340–600 series airplanes. The related NPRM published in the **Federal Register** on June 26, 2019 (84 FR 30055). The related SNPRM published in the **Federal Register** on January 21, 2020 (85 FR 3279). The related NPRM and SNPRM were also prompted by a report that an airplane failed to extend its NLG using the free fall method, due to loss of the green hydraulic system. Since the related SNPRM was issued, Airbus and the FAA determined that any affected FFA must be replaced. In light of these changes, the FAA has withdrawn the related SNPRM as of June 8, 2020 (85 FR 34655), which intended to also

withdraw the proposals in the NPRM published on June 26, 2019 (84 FR 30055). The FAA is now issuing this new NPRM for public comment.

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

EASA AD 2020–0076 describes procedures for repetitive tests of affected FFAs and replacement of any affected FFA that fails a test with a serviceable FFA. EASA AD 2020–0076 also describes procedures for replacement of all affected FFAs, which terminates the repetitive tests. 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 and Requirements of This Proposed AD**

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 proposing this AD because the FAA evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

#### **Proposed AD Requirements**

This proposed AD would require accomplishing the actions specified in EASA AD 2020–0076 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 2020–0076 will be incorporated by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2020–0076 in its entirety, through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed 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 2020–0076 that is required for compliance with EASA AD 2020–0076 will be available on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2019–0484 after the FAA final rule is published.

#### **Costs of Compliance**

The FAA estimates that this proposed AD affects 113 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

#### **ESTIMATED COSTS FOR REQUIRED ACTIONS**

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
4 work-hours × \$85 per hour = \$340 .....	\$0*	\$340	\$38,420

\*The FAA has received no definitive data that would enable the agency to provide parts cost estimates for the replacements specified in this proposed AD.

The FAA estimates the following costs to do any necessary on-condition actions 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 these on-condition actions:

#### **ESTIMATED COSTS OF ON-CONDITION ACTIONS**

Labor cost	Parts cost	Cost per product
2 work-hours × \$85 per hour = \$170 .....	\$0*	\$170

\*The FAA has received no definitive data that would enable the agency to provide parts cost estimates for the on-condition replacements specified in this proposed AD.

## 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) Will not affect intrastate aviation in Alaska, and
- (3) Will 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 (AD):

**Airbus SAS:** Docket No. FAA–2019–0484; Product Identifier 2020–NM–051–AD.

#### (a) Comments Due Date

The FAA must receive comments by August 14, 2020.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to all Airbus SAS airplanes identified in paragraphs (c)(1) through (7) of this AD, certificated in any category.

- (1) Model A330–201, –202, –203, –223, and –243 airplanes.
- (2) Model A330–223F and –243F airplanes.
- (3) Model A330–301, –302, –303, –321, –322, –323, –341, –342, and –343 airplanes.
- (4) Model A340–211, –212, –213 airplanes.
- (5) Model A340–311, –312, and –313 airplanes.
- (6) Model A340–541 airplanes.
- (7) Model A340–642 airplanes.

#### (d) Subject

Air Transport Association (ATA) of America Code 32, Landing gear.

#### (e) Reason

This AD was prompted by a report that an airplane failed to extend its nose landing gear (NLG) using the free fall method, due to loss of the green hydraulic system. The FAA is issuing this AD to address detached magnets on both electrical motors of the free fall actuators (FFAs), which could prevent landing gear extension by the free fall method, possibly resulting in loss of control of the airplane after landing.

#### (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 2020–0076, dated March 30, 2020 ("EASA AD 2020–0076").

#### (h) Exceptions to EASA AD 2020–0076

(1) Where EASA AD 2020–0076 refers to its effective date or the effective date of EASA AD 2019–0063 or the effective date of EASA AD 2019–0164, this AD requires using the effective date of this AD.

(2) The "Remarks" section of EASA AD 2020–0076 does not apply to this AD.

(3) Where paragraph (3) of EASA AD 2020–0076 specifies credit for certain tasks "provided the continuity test specified in A330 AMM [Aircraft Maintenance Manual] task 32–33–00–710–809, or A340 AMM task 32–33–00–710–806, as applicable, is accomplished concurrently," this AD provides credit "provided the continuity test is accomplished concurrently in accordance

with the instructions of an FAA-approved maintenance or inspection program."

#### (i) No Reporting Requirement

Although the service information referenced in EASA AD 2020–0076 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

#### (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)(2) of this AD. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@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 2020–0076 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

(1) For information about EASA AD 2020–0076, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 6017; 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>. 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-2019-0484.

(2) For more information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3229; email [vladimir.ulyanov@faa.gov](mailto:vladimir.ulyanov@faa.gov).

Issued on June 23, 2020.

**Gaetano A. Sciortino,**  
*Deputy Director for Strategic Initiatives,  
Compliance & Airworthiness Division,  
Aircraft Certification Service.*

[FR Doc. 2020-14018 Filed 6-29-20; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-112339-19]

RIN 1545-BP42

#### Credit for Carbon Oxide Sequestration; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to a notice of proposed rulemaking.

**SUMMARY:** This document contains a correction to a notice of proposed rulemaking that was published in the **Federal Register** on June 2, 2020. The proposed regulations regarding the credit for carbon oxide sequestration under section 45Q of the Internal Revenue Code (Code).

**DATES:** Written or electronic comments and requests for a public hearing are still being accepted and must be received by August 3, 2020.

**ADDRESSES:** Send submissions to Internal Revenue Service, CC:PA:LPD:PR (REG-112339-19), Room 5205, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Submission of comments electronically is strongly suggested, as the ability to respond to mail may be delayed. It is recommended that comments and requests for a public hearing be submitted electronically via the Federal eRulemaking Portal at <http://www.regulations.gov> (IRS REG-112339-19).

**FOR FURTHER INFORMATION CONTACT:** Concerning the proposed regulations, Maggie Stehn of the Office of Associate Chief Counsel (Passthroughs & Special Industries) at (202) 317-6853; concerning submissions of comments and/or requests for a public hearing, Regina L. Johnson at (202) 317-5177 (not toll-free numbers).

## SUPPLEMENTARY INFORMATION:

### Background

The proposed regulations that are the subject of this correction are under section 45Q of the Internal Revenue Code.

### Need for Correction

As published, the notice of proposed rulemaking (REG-112339-19) contains errors that needs to be corrected.

### Correction of Publication

Accordingly, the notice of proposed rulemaking (REG-112339-19) that was the subject of FR Doc.2020-11907, published at 85 FR 34050 (June 2, 2020), is corrected as follows:

1. On page 34058, third column, the ninth line of the fourth paragraph, the language “date the” is corrected to read “date of”.

2. On page 34061, first column, the sixth line from the bottom from the first partial paragraph, the language “three years” is corrected to read “five years.”

3. On page 34062, first column, the eleventh through the twelfth lines of the first full paragraph, the language “section 45Q(f)(3)(B)” is corrected to read “new election”.

4. On page 34062, the first column, the fifth through the sixth lines from the bottom of the last paragraph, the language “after the date of issuance of this proposed regulation” is corrected to read “after June 2, 2020.”

5. On page 34062, second column, the thirteenth through the fourteenth lines from the bottom of the first full paragraph, the language “before the date of issuance of this proposed regulation” is corrected to read “before June 2, 2020”.

6. On page 34062, third column, the sixth line from the bottom of the first full paragraph, the language “F Federal” is corrected to read “Federal”.

7. On page 34063, third column, the second line from the bottom of the first full paragraph, the language “serval” is corrected to read “several”.

**Martin V. Franks,**

*Branch Chief, Publications and Regulations  
Branch, Legal Processing Division, Associate  
Chief Counsel (Procedure and  
Administration).*

[FR Doc. 2020-14033 Filed 6-29-20; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### 29 CFR Part 2550

RIN 1210-AB95

#### Financial Factors in Selecting Plan Investments

**AGENCY:** Employee Benefits Security Administration, Department of Labor

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Labor (Department) in this document proposes amendments to the “Investment duties” regulation under Title I of the Employee Retirement Income Security Act of 1974, as amended (ERISA), to confirm that ERISA requires plan fiduciaries to select investments and investment courses of action based solely on financial considerations relevant to the risk-adjusted economic value of a particular investment or investment course of action.

**DATES:** Comments on the proposal must be submitted on or before July 30, 2020.

**ADDRESSES:** You may submit written comments, identified by RIN 1210-AB95 to either of the following addresses:

■ **Federal eRulemaking Portal:** [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments.

■ **Mail:** Office of Regulations and Interpretations, Employee Benefits Security Administration, Room N-5655, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210, Attention: Financial Factors in Selecting Plan Investments Proposed Regulation.

**Instructions:** All submissions received must include the agency name and Regulatory Identifier Number (RIN) for this rulemaking. Persons submitting comments electronically are encouraged not to submit paper copies. Comments will be available to the public, without charge, online at [www.regulations.gov](http://www.regulations.gov) and [www.dol.gov/agencies/ebsa](http://www.dol.gov/agencies/ebsa) and at the Public Disclosure Room, Employee Benefits Security Administration, Suite N-1513, 200 Constitution Avenue NW, Washington, DC 20210.

**Warning:** Do not include any personally identifiable or confidential business information that you do not want publicly disclosed. Comments are public records posted on the internet as received and can be retrieved by most internet search engines.

**FOR FURTHER INFORMATION CONTACT:** Jason A. DeWitt, Office of Regulations and Interpretations, Employee Benefits