

reconsideration of a Decision and Order. The motion for reconsideration must be filed by the 20th day after the OHA makes the Decision and Order available to the public. The motion must include a statement of the grounds on which the movant believes reconsideration is warranted. Such grounds may include, but are not limited to, procedural, legal, or factual errors in the Decision and Order. A motion for reconsideration may be granted if the Director determines the Decision and Order contains an error that materially impacted the outcome of the proceeding.

[FR Doc. 2019-17207 Filed 8-14-19; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2019-0557; Product Identifier 2019-NE-17-AD]

RIN 2120-AA64

Airworthiness Directives; Aviointeriors S.p.A. Centaurus Passenger Seats

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Aviointeriors S.p.A. (Aviointeriors) Centaurus passenger seats with a specific life vest pouch assembly installed. This proposed AD was prompted by reports of life vest pouches that were installed incorrectly on certain seats. This proposed AD would require inspection of the life vest pouch assembly and, depending on the results of the inspection, replacement of the life vest pouch assembly. 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 September 30, 2019.

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 <http://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 service information identified in this NPRM, contact Aviointeriors S.p.A., Customer Support, Via Appia Km. 66,4; 04013 Latina, Italy; phone: +39 0773 6891; fax: +39 0773 631546; email: customer-support@aviointeriors.it; internet: <http://www.aviointeriors.it>. You may view this service information at the FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA, 01803. For information on the availability of this material at the FAA, call 781-238-7759.

Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0557; 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, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, 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:

Dorie Resnik, Aerospace Engineer, Boston ACO Branch, FAA, 1200 District Avenue, Burlington, MA, 01803; phone: 781-238-7693; fax: 781-238-7199; email: dorie.resnik@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-2019-0557; Product Identifier 2019-NE-17-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 because of those comments.

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

Discussion

The European Union Aviation Safety Agency (EASA), which is the Technical

Agent for the Member States of the European Community, has issued EASA AD 2018-0264R1, dated April 4, 2019 (referred to after this as “the MCAI”), to address the unsafe condition on these products. The MCAI states:

Incorrect installation of the affected pouch was found on certain affected seats. Subsequent investigation determined that those pouches have been (re)installed in service. This condition, if not detected and corrected, could prevent extraction of the life vest from the pouch, leading to evacuation of the aeroplane without a life vest, possibly resulting in injury to passengers.

To address this potential unsafe condition, Aviointeriors issued the SB to provide inspection instructions and the modification SB to provide instructions to modify the affected seats. Aviointeriors also revised the Component Maintenance Manuals (CMM) to include updated instructions for installing an affected pouch.

For the reason described above, EASA issued AD 2018-0264, requiring inspection of the affected seats and, depending on findings, accomplishment of applicable corrective action(s). Since that [EASA] AD was issued, it was determined that affected seats may have received an additional P/N related to the aircraft modification addressing the installation of the seats. This [EASA] AD is revised to clarify the Applicability by inserting Note 1 into Appendix 1 of this [EASA] AD.

You may obtain further information by examining the MCAI in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0557.

Related Service Information Under 14 CFR Part 51

The FAA reviewed Aviointeriors Mandatory Service Bulletin (MSB) No. 16/18, Rev. 1, dated October 11, 2019, and Aviointeriors Optional Service Bulletin (OSB) No. 18/18, Rev. 2, dated March 11, 2019. The MSB describes procedures for inspection and horizontal installation of the life vest pouch assembly. The OSB describes procedures for an alternative (vertical) inspection and installation of the life vest pouch assembly. This service information 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 EASA, and is approved for operation in the United States. Pursuant to our bilateral agreement with the European Community, EASA has notified us of the unsafe condition described in the MCAI and service information referenced above. The FAA is proposing

this AD because it evaluated all the relevant information provided by EASA 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 inspection of the life vest pouch assembly and, depending on the results of the inspection, replacement of the life vest pouch.

Differences Between This Proposed AD and the MCAI

EASA AD 2018–0264R1, dated April 4, 2019, refers to Aviointeriors OSB No. 18/18, Rev. 1, dated October 16, 2018. This FAA AD refers to Aviointeriors OSB No. 18/18, Rev. 2, dated March 11, 2019. EASA reasoned that they are aware of Aviointeriors OSB No. 18/18, Rev. 2, but because none of their operators opted to implement the optional vertical installation

modification within Aviointeriors OSB No. 18/18, EASA determined it was not necessary to refer to the latest revision of the service bulletin.

Costs of Compliance

The FAA estimates that this proposed AD affects an unknown number of passenger seats installed on, but not limited to, Boeing 777–200 and 777–300 airplanes of U.S. registry.

The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product
Inspect life vest pouch assembly	0.2 work-hours × \$85 per hour = \$17	\$0	\$17
Replace life vest pouch assembly ...	0.1 work-hours × \$85 per hour = \$8.50	172	180.50

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.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs

applicable to engines, propellers, and associated appliances to the Manager, Engine and Propeller Standards Branch, Policy and Innovation Division.

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):

Aviointeriors S.p.A.: Docket No. FAA–2019–0557; Product Identifier 2019–NE–17–AD.

(a) Comments Due Date

The FAA must receive comments by September 30, 2019.

(b) Affected ADs

None.

(c) Applicability

(1) This AD applies to Aviointeriors S.p.A. (Aviointeriors) Centaurus Economy Class 13E, 13H, and 13K passenger seats with a seat part number (P/N) listed in Figure 1 to paragraph (c)(1) of this AD, with life vest pouch, P/N 313907100004, installed.

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Figure 1 to Paragraph (c)(1) – Passenger Seat P/Ns

Seat Type		Passenger Seat P/Ns	
13E	13EA5Z5204JV	13EA9Z5506JV	13EG7Z1204RV
	13EA5Z5203JV	13EG5Z1204RV	13EG6Z5703RV
	13EA5Z5304JV	13EG5Z1203RV	13EG6Z5704RV
	13EA5Z5303JV	13EG5Z5204RV	13EG2Z5203RV
	13EA6Z5404JV	13EG5Z5203RV	13EG2Z5204RV
	13EA6Z5403JV	13EG5Z5304RV	13EG9Z5506RV
	13EA7Z5204JV	13EG5Z5303RV	13EG8Z5704RV
	13EA7Z5203JV	13EG7Z5204RV	13EG8Z5703RV
	13EA8Z5404JV	13EG7Z5203RV	13EG5Z5207RV
	13EA8Z5403JV	13EG4Z5506RV	13EG5Z5208RV
	13EA4Z5506JV	13EG9Z5610RV	13EG6Z5404RV
	13EA9Z5610JV	13EF4Z5509RV	13EG6Z5403RV
	13EC4Z5509JV	13EF3Z5506RV	13EG8Z5404RV
	13EC3Z5506JV	13EG7Z1203RV	13EG8Z5403RV
13H	13HR1Z5222JV	13HR5Z1203RV	13HR6Z5203RV
	13HR1Z5221JV	13HR5Z5222RV	13HR6Z5204RV
	13HR2Z5123JV	13HR5Z5221RV	
	13HR5Z1204RV	13HR4Z5123RV	
13K	13KA5Z5208JV	13KG5Z5208RV	
	13KA5Z5207JV	13KG5Z5207RV	

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(2) These appliances are installed on, but not limited to, Boeing 777-200 and 777-300 airplanes.

(d) Subject

Joint Aircraft System Component (JASC) Code 2561, Life Jacket.

(e) Unsafe Condition

This AD was prompted by reports of life vest pouches installed incorrectly on certain seats. The FAA is issuing this AD to prevent the life vest from failing to extract from the pouch during an emergency. The unsafe condition, if not addressed, could result in having to evacuate the airplane without a life vest, possibly resulting in injury or death to passengers.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

(1) Within three months or 600 flight hours after the effective date of this AD, whichever occurs first, inspect the affected seat life vest pouch assembly using Paragraph 2, Life Vest Inspection, of Aviointeriors Mandatory

Service Bulletin (MSB) No. 16/18, Rev. 1, dated October 11, 2018, or Paragraph 2, Life Vest Pouches Inspection, Aviointeriors Optional SB (OSB) No. 18/18, Rev. 2, dated March 11, 2019.

(2) If, during the inspection required by paragraph (g)(1) of this AD, a life vest pouch velcro strip is found damaged or worn, before further flight, remove the life vest pouch from service and replace it with a part eligible for installation using Paragraphs 3 through 5, inclusive, of Aviointeriors MSB No. 16/18, Rev. 1, dated October 11, 2018, or Aviointeriors OSB No. 18/18, Rev. 2, dated March 11, 2019.

(3) If, during the inspection required by paragraph (g)(1) of this AD, a life vest pouch installation is not found acceptable, as defined in Paragraph 2 of Aviointeriors MSB No. 16/18, Rev. 1, dated October 11, 2018, or Aviointeriors OSB No. 18/18, Rev. 2, dated March 11, 2019, before further flight, remove the life vest pouch from service and replace it with a part eligible for installation using Paragraphs 3 through 5, inclusive, of Aviointeriors MSB No. 16/18, Rev. 1, dated October 11, 2018, or Aviointeriors OSB No. 18/18, Rev. 2, dated March 11, 2019.

(h) Installation Prohibition

After the effective date of this AD, do not install an Aviointeriors Centaurus Economy Class passenger seat with a P/N identified in paragraph (c) of this AD unless the affected seat life vest pouch assembly has been inspected in accordance with paragraph (g)(1) of this AD, and depending on the finding, replaced with a part eligible for installation.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Boston 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 ECO Branch, send it to the attention of the person identified in paragraph (j)(1) of this AD.

(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.

(j) Related Information

(1) For more information about this AD, contact Dorie Resnik, Aerospace Engineer, Boston ACO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7693; fax: 781-238-7199; email: dorie.resnik@faa.gov.

(2) Refer to European Union Aviation Safety Agency (EASA) AD 2018-0264R1, dated April 4, 2019, for more information. You may examine the EASA AD in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating it in Docket No. FAA-2019-0557.

(3) For service information identified in this AD, contact Aviointeriors S.p.A., Customer Support, Via Appia Km. 66.4; 04013 Latina, Italy; phone: +39 0773 6891; fax: +39 0773 631546; email: customer-support@aviointeriors.it; internet: <http://www.aviointeriors.it>. You may view this referenced service information at the FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781-238-7759.

Issued in Burlington, Massachusetts, on August 12, 2019.

Robert J. Ganley,

Manager, Engine and Propeller Standards Branch, Aircraft Certification Service.

[FR Doc. 2019-17510 Filed 8-14-19; 8:45 am]

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DEPARTMENT OF LABOR**Occupational Safety and Health Administration****29 CFR Parts 1910, 1915, and 1926**

[Docket No. OSHA-2010-0034]

RIN 1218-AD18

Occupational Exposure to Respirable Crystalline Silica—Specified Exposure Control Methods

AGENCY: Occupational Safety and Health Administration (OSHA), Department of Labor.

ACTION: Request for Information (RFI).

SUMMARY: OSHA is requesting information on the effectiveness of engineering and work practice control methods not currently included for the tasks and equipment listed on Table 1 of the Respirable Crystalline Silica standard for construction. The agency is also requesting information on tasks and equipment involving exposure to respirable crystalline silica that are not currently listed on Table 1, along with information on the effectiveness of engineering and work practice control methods in limiting worker exposure to respirable crystalline silica when performing those tasks. Finally, OSHA is requesting information and comment

on whether there are additional circumstances where it would be appropriate to permit employers covered by the Respirable Crystalline Silica standards for general industry and maritime to comply with the silica standard for construction. This RFI requests comment and information, including exposure data, which could assist the agency in assessing whether revisions to the standards may be appropriate.

DATES: Submit comments on or before October 15, 2019.

ADDRESSES: Submit comments and additional materials using any of the following methods:

Electronically: You may submit comments and attachments electronically via <https://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for making electronic submissions.

Facsimile: If your submission, including attachments, does not exceed 10 pages, you may fax it to the OSHA Docket Office at (202) 693-1648.

Regular mail, express mail, hand delivery, or messenger/courier service (hard copy): You may submit your comments and any additional materials to the OSHA Docket Office, Docket No. OSHA-2010-0034, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3653, 200 Constitution Avenue NW, Washington, DC 20210; telephone: (202) 693-2350 (TTY (877) 889-5627). OSHA's Docket Office accepts deliveries (hand deliveries, express mail, and messenger/courier service) from 10 a.m. to 3 p.m. ET, weekdays.

Because of security-related procedures, submission by regular mail may result in significant delay. Please contact the OSHA Docket Office (telephone: (202) 693-2350; email: technicaldatacenter@dol.gov) for information about security procedures concerning delivery of materials by express mail, hand delivery, and messenger service.

Instructions for submitting comments: All submissions must include the agency's name (OSHA), the title of this RFI (Occupational Exposure to Respirable Crystalline Silica—Specified Exposure Control Methods), and the docket number for this RFI (OSHA-2010-0034). OSHA will place all comments and other materials, including any personal information you provide, in the public docket without revision, and these materials will be available online at <https://www.regulations.gov>. Therefore, OSHA cautions you about submitting

statements that you do not want made available to the public, or submitting comments that contain personal information such as Social Security numbers, birth dates, and medical data.

Docket: To read or download submissions or other material in the docket, go to <https://www.regulations.gov> or the OSHA Docket Office at the above address. The <https://www.regulations.gov> index lists all documents in the docket. However, some information (e.g., copyrighted material) is not available to read or download through the website. All submissions, including copyrighted material, are available for inspection at the OSHA Docket Office. Contact the OSHA Docket Office for assistance in locating docket submissions.

FOR FURTHER INFORMATION CONTACT:

Press Inquiries: Frank Meilinger, Director, OSHA Office of Communications, telephone: 202-693-1999; email: meilinger.francis2@dol.gov.

General and technical information:

William Perry or David O'Connor, Directorate of Standards and Guidance, telephone: 202-693-1950; email: silica@dol.gov.

Copies of this Federal Register notice: Electronic copies of this Request for Information are available at <https://www.regulations.gov>. This **Federal Register** notice, as well as news releases and other relevant information, is also available at OSHA's web page at <https://www.osha.gov>.

SUPPLEMENTARY INFORMATION:**I. Background**

On March 25, 2016, OSHA published a final rule regulating occupational exposure to respirable crystalline silica (81 FR 16286). The final rule established a new permissible exposure limit (PEL) for respirable crystalline silica of 50 micrograms per cubic meter of air (50 µg/m³) as an 8-hour time-weighted average in all industries covered by the rule. The rule also included other provisions, such as requirements for exposure assessment, methods for controlling exposure, respiratory protection, medical surveillance, hazard communication, and recordkeeping. OSHA issued two separate standards—one for construction (29 CFR 1926.1153) and one for general industry and maritime (29 CFR 1910.1053).¹

¹ "Maritime" refers collectively to shipyards, marine terminals, and longshoring. While the shipyard standard is technically a separate standard, it is identical to the general industry standard. See 29 CFR 1915.1053 (cross-referencing 29 CFR 1910.1053). Marine terminals and longshoring are covered under 29 CFR 1910.1053. See 29 CFR 1917.1(a)(2)(xiii) and 29 CFR 1918.1(b)(9).