

# Rules and Regulations

Federal Register

Vol. 71, No. 50

Wednesday, March 15, 2006

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 23

[Docket No. CE240, Special Condition 23–180–SC]

#### Special Conditions; Heritage Aviation LTD; Honeywell EFIS 40 on a Cessna 208B, Protection of Systems for High Intensity Radiated Fields (HIRF)

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

**ACTION:** Final special conditions; request for comments.

**SUMMARY:** These special conditions are issued to Heritage Aviation LTD, 2617 Aviation Parkway, Grand Prairie, TX 75052, for a supplemental type certificate for the Cessna 208B. These airplanes will have novel and unusual design features when compared to the state of technology envisaged in the applicable airworthiness standards. These novel and unusual design features include the installation of a Honeywell EFIS 40, for which the applicable regulations do not contain adequate or appropriate airworthiness standards for the protection of these systems from the effects of high intensity radiated fields (HIRF). This system will interface to other airplane systems also covered by these special conditions. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to the airworthiness standards applicable to these airplanes. **DATES:** The effective date of these special conditions is March 6, 2006. Comments must be received on or before April 14, 2006.

**ADDRESSES:** Comments may be mailed in duplicate to: Federal Aviation Administration, Regional Counsel, ACE–7, Attention: Rules Docket Clerk,

Docket No. CE240, Room 506, 901 Locust, Kansas City, Missouri 64106. All comments must be marked: Docket No. CE240. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

**FOR FURTHER INFORMATION CONTACT:** Wes Ryan, Aerospace Engineer, Standards Office (ACE–110), Small Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone (816) 329–4127.

**SUPPLEMENTARY INFORMATION:** The FAA has determined that notice and opportunity for prior public comment hereon are impracticable since the substance of this special condition has been subject to the public comment process in several prior instances with no substantive comments received. The FAA, therefore, finds that good cause exists for making these special conditions effective upon issuance.

#### Comments Invited

Interested persons are invited to submit such written data, views, or arguments, as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator. The special conditions may be changed in light of the comments received. All comments received will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must include a self-addressed, stamped postcard on which the following statement is made: “Comments to Docket No. CE240.” The postcard will be date stamped and returned to the commenter.

#### Background

On July 6, 2005, Heritage Aviation LTD, 12617 Aviation Parkway, Grand Prairie, TX 75052, made an application to the FAA for a new supplemental type

certificate for the Cessna 208B. The Cessna 208B is currently approved under TC No. A37CE. The proposed modification incorporates a novel or unusual design feature, such as digital avionics consisting of an EFIS that is vulnerable to HIRF external to the airplane.

#### Type Certification Basis

Under the provisions of 14 CFR part 21, § 21.101, Heritage Aviation LTD must show that the Cessna 208B meets the original certification basis, as listed on Type Data Sheet A37CE, the additional certification requirements added for the Honeywell EFIS 40 system, exemptions, if any; and the special conditions adopted by this rulemaking action. The additional certification requirements for the Honeywell EFIS 40 include §§ 23.1301, 23.1309, 23.1311, 23.1322, 23.1353 and other rules at the amendment appropriate for the date of application. Further details of the certification basis for the installation of the Honeywell EFIS 40 are available on request.

#### Discussion

If the Administrator finds that the applicable airworthiness standards do not contain adequate or appropriate safety standards because of novel or unusual design features of an airplane, special conditions are prescribed under the provisions of § 21.16.

Special conditions, as appropriate, as defined in § 11.19, are issued in accordance with § 11.38 after public notice and become part of the type certification basis in accordance with § 21.101.

Special conditions are initially applicable to the model for which they are issued. Should the applicant apply for a supplemental type certificate to modify any other model already included on the same type certificate to incorporate the same novel or unusual design feature, the special conditions would also apply to the other model under the provisions of § 21.101.

#### Novel or Unusual Design Features

Heritage Aviation LTD plans to incorporate certain novel and unusual design features into the Cessna 208B for which the airworthiness standards do not contain adequate or appropriate safety standards for protection from the effects of HIRF. These features include an EFIS, which are susceptible to the

HIRF environment that was not envisaged by the existing regulations for this type of airplane.

*Protection of Systems from High Intensity Radiated Fields (HIRF):* Recent advances in technology have given rise to the application in aircraft designs of advanced electrical and electronic systems that perform functions required for continued safe flight and landing. Due to the use of sensitive solid-state advanced components in analog and digital electronics circuits, these advanced systems are readily responsive to the transient effects of induced electrical current and voltage caused by the HIRF. The HIRF can degrade electronic systems performance by damaging components or upsetting system functions.

Furthermore, the HIRF environment has undergone a transformation that was not foreseen when the current requirements were developed. Higher energy levels are radiated from transmitters that are used for radar, radio, and television. Also, the number of transmitters has increased significantly. There is also uncertainty concerning the effectiveness of airframe shielding for HIRF. Furthermore, coupling to cockpit-installed equipment through the cockpit window apertures is undefined.

The combined effect of the technological advances in airplane design and the changing environment has resulted in an increased level of vulnerability of electrical and electronic systems required for the continued safe flight and landing of the airplane. Effective measures against the effects of exposure to HIRF must be provided by the design and installation of these systems. The accepted maximum energy levels in which civilian airplane system installations must be capable of operating safely are based on surveys and analysis of existing radio frequency emitters. These special conditions require that the airplane be evaluated under these energy levels for the protection of the electronic system and its associated wiring harness. These external threat levels, which are lower than previous required values, are believed to represent the worst case to which an airplane would be exposed in the operating environment.

These special conditions require qualification of systems that perform critical functions, as installed in aircraft, to the defined HIRF environment in paragraph 1 or, as an option to a fixed value using laboratory tests, in paragraph 2, as follows:

(1) The applicant may demonstrate that the operation and operational capability of the installed electrical and

electronic systems that perform critical functions are not adversely affected when the aircraft is exposed to the HIRF environment defined below:

Frequency	Field strength (volts per meter)	
	Peak	Average
10 kHz–100 kHz .....	50	50
100 kHz–500 kHz .....	50	50
500 kHz–2 MHz 50 .....	50	50
2 MHz–30 MHz .....	100	100
30 MHz–70 MHz .....	50	50
70 MHz–100 MHz .....	50	50
100 MHz–200 MHz .....	100	100
200 MHz–400 MHz .....	100	100
400 MHz–700 MHz .....	700	50
700 MHz–1 GHz .....	700	100
1 GHz–2 GHz .....	2000	200
2 GHz–4 GHz .....	3000	200
4 GHz–6 GHz .....	3000	200
6 GHz–8 GHz .....	1000	200
8 GHz–12 GHz .....	3000	300
12 GHz–18 GHz .....	2000	200
18 GHz–40 GHz .....	600	200

The field strengths are expressed in terms of peak root-mean-square (rms) values.

or,

(2) The applicant may demonstrate by a system test and analysis that the electrical and electronic systems that perform critical functions can withstand a minimum threat of 100 volts per meter, electrical field strength, from 10 kHz to 18 GHz. When using this test to show compliance with the HIRF requirements, no credit is given for signal attenuation due to installation.

A preliminary hazard analysis must be performed by the applicant for approval by the FAA to identify either electrical or electronic systems that perform critical functions. The term “critical” means those functions, whose failure would contribute to, or cause, a failure condition that would prevent the continued safe flight and landing of the airplane. The systems identified by the hazard analysis that perform critical functions are candidates for the application of HIRF requirements. A system may perform both critical and non-critical functions. Primary electronic flight display systems, and their associated components, perform critical functions such as attitude, altitude, and airspeed indication. The HIRF requirements apply only to critical functions.

Compliance with HIRF requirements may be demonstrated by tests, analysis, models, similarity with existing systems, or any combination of these. Service experience alone is not acceptable since normal flight operations may not include an exposure to the HIRF environment. Reliance on a system with similar design features for redundancy as a means of protection

against the effects of external HIRF is generally insufficient since all elements of a redundant system are likely to be exposed to the fields concurrently.

### Applicability

As discussed above, these special conditions are applicable to the Cessna 208B. Should Heritage Aviation LTD apply at a later date for a supplemental type certificate to modify any other model on the same type certificate to incorporate the same novel or unusual design feature, the special conditions would apply to that model as well under the provisions of § 21.101.

### Conclusion

This action affects only certain novel or unusual design features on one model of airplane. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

The substance of these special conditions has been subjected to the notice and comment period in several prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. For this reason, and because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

### List of Subjects in 14 CFR Part 23

Aircraft, Aviation safety, Signs and symbols.

### Citation

■ The authority citation for these special conditions is as follows:

**Authority:** 49 U.S.C. 106(g), 40113 and 44701; 14 CFR 21.16 and 21.101; and 14 CFR 11.38 and 11.19.

### The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Cessna 208B airplanes modified by Heritage Aviation LTD to add the Honeywell EFIS 40 system.

1. Protection of Electrical and Electronic Systems from High Intensity

Radiated Fields (HIRF). Each system that performs critical functions must be designed and installed to ensure that the operations, and operational capabilities of these systems to perform critical functions, are not adversely affected when the airplane is exposed to high intensity radiated electromagnetic fields external to the airplane.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions*: Functions whose failure would contribute to, or cause, a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Kansas City, Missouri on March 6, 2006.

David R. Showers,

Acting Manager, Small Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. 06-2491 Filed 3-14-06; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2005-22398; Airspace  
Docket No. 05-ASO-7]

RIN 2120-AA66

#### Establishment of High Altitude Area Navigation Routes; South Central United States

AGENCY: Federal Aviation  
Administration (FAA), DOT.

ACTION: Final rule; correction.

**SUMMARY:** This action corrects an error in the geographic coordinate for one navigation fix listed in a final rule published in the **Federal Register** on February 13, 2006 (71 FR 7409), Airspace Docket No. 05-ASO-7, FAA Docket No. FAA-2005-22398.

**DATES:** Effective: April 13, 2006.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### History

On February 13, 2006, a final rule for Airspace Docket No. 05-ASO-7, FAA Docket No. FAA-2005-22398 was published in the **Federal Register** (71 FR 7409). This rule established 16 high altitude area navigation routes in the South Central United States. In the description for route Q-36, the

longitude coordinate for the SWAPP fix was incorrectly published as 86°10'56" W., which represents a one degree error. The correct longitude coordinate is 85°10'56" W. This action corrects the error. The rule listed the correct coordinates for the SWAPP fix in the descriptions of routes Q-32 and Q-34.

#### Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, the legal description for route Q-36 as published in the **Federal Register** on February 13, 2006 (71 FR 7409), Airspace Docket No. 05-ASO-7, FAA Docket No. FAA-2005-22398, and incorporated by reference in 14 CFR 71.1, is corrected as follows:

#### PART 71—[AMENDED]

##### § 71.1 [Amended]

■ On page 7411, correct the description for route Q-36, to read as follows:

##### Paragraph 2006—Area Navigation Routes

Q-36 RZC to SWAPP [Corrected]				
RZC .....	VORT-	(lat. 36°14'47" N., long.		
	AC.	94°07'17" W.)		
TWITS	WP .....	(lat. 36°08'32" N., long.		
		90°54'48" W.)		
DEPEC	WP .....	(lat. 36°06'00" N., long.		
		87°31'00" W.)		
BNA ....	VORT-	(lat. 36°08'13" N., long.		
	AC.	86°41'05" W.)		
SWAPP	Fix .....	(lat. 36°36'50" N., long.		
		85°10'56" W.)		

\* \* \* \* \*

Issued in Washington, DC, on March 8, 2006.

Edith V. Parish,

Manager, Airspace and Rules.

[FR Doc. 06-2503 Filed 3-14-06; 8:45 am]

BILLING CODE 4910-13-P

## FEDERAL TRADE COMMISSION

#### 16 CFR Part 312

#### Children's Online Privacy Protection Rule

AGENCY: Federal Trade Commission.

ACTION: Retention of rule without  
modification.

**SUMMARY:** The Federal Trade Commission ("the Commission") has completed its regulatory review of the Children's Online Privacy Protection Rule ("the COPPA Rule" or "the Rule"), which implements the Children's Online Privacy Protection Act of 1998. The Rule regulates how Web site operators and others may collect, use, and distribute personal information from children online. The Commission

requested comment on the costs and benefits of the Rule and whether it should be retained without change, modified, or eliminated. The Commission also requested comment on the Rule's effect on: information practices relating to children; children's ability to obtain online access to information of their choice; and the availability of Web sites directed to children. Pursuant to this review, the Commission concludes that the Rule continues to be valuable to children, their parents, and Web site operators, and has determined to retain the Rule in its current form. This document discusses the comments received in response to the Commission's request for public comment and announces the Commission's decision to retain the Rule without modification.

**DATES:** Effective Date: March 15, 2006.

#### FOR FURTHER INFORMATION CONTACT:

Karen Muoio, (202) 326-2491, Federal Trade Commission, 600 Pennsylvania Avenue NW., Mail Drop NJ-3212, Washington, DC 20580.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

Pursuant to Congressional direction and the Commission's systematic program of reviewing its rules and guides, in April 2005 the Commission issued a **Federal Register** Proposed Rule seeking public comment on the overall costs and benefits of the COPPA Rule and other issues related to the Rule ("April 2005 NPR").<sup>1</sup> In response, the Commission received 25 comments from various parties, including: trade associations, Web site operators, privacy and educational organizations, COPPA safe harbor programs, and consumers.<sup>2</sup> As part of its review, the Commission also considered the 91 comments received in response to its January 14, 2005 Notice of Proposed Rulemaking ("January 2005 NPR") on the Rule's sliding scale approach to obtaining verifiable parental consent.<sup>3</sup>

<sup>1</sup> 70 FR 21107 (Apr. 22, 2005). The NPR also may be found online at <http://www.ftc.gov/opa/2005/04/coppacomments.htm>.

<sup>2</sup> The comments responsive to the April 2005 NPR have been filed on the Commission's public record as Document Nos. 516296-00001, *et seq.*, and may be found online at <http://www.ftc.gov/os/comments/COPPARuleReview/index.htm>. This document cites comments by commenter name and page number. If a commenter submitted comments in response to the April 2005 NPR and the January 2005 NPR, the comment submitted second is delineated with the number "2." All comments are available for public inspection at the Public Reference Room, Room 130, Federal Trade Commission, 600 Pennsylvania Ave., NW., Washington, D.C. 20580.

<sup>3</sup> 70 FR 2580 (Jan. 14, 2005). The comments responsive to the January 2005 NPR have been filed