310 CMR 6.00: Ambient Air Quality Standards for the Commonwealth of Massachusetts

Section 6.01: Definitions (Effective 4/2/2010)
Section 6.02: Scope (Effective 4/2/2010)
Section 6.03: Reference Conditions (Effective 4/2/2010)
Section 6.04: Standards (Effective 4/2/2010)

310 CMR 7.00: Air Pollution Control

Section 7.00: General Regulations to Prevent Air Pollution (Effective 4/2/2010)
Section 7.01: General Regulations to Prevent Air Pollution (Effective 4/2/2010)
Section 7.02: U Plan Approval and Emission Limitations (Effective 4/2/2010)
Section 7.03: U Plan Approval Exemptions: Construction Requirements (Effective 4/2/2010)
Section 7.05: U Fuels All Districts (Effective 4/2/2010)
Section 7.06: U Visible Emissions (Effective 4/2/2010)
Section 7.07: U Open Burning (Effective 4/2/2010)
Section 7.08: U Incinerators (Effective 4/2/2010)
Section 7.09: U Dust, Odor, Construction and Demolition (Effective 4/2/2010)
Section 7.11: U Transportation Media (Effective 4/2/2010)
Section 7.12: U Source Registration (Effective 4/2/2010)
Section 7.14: U Monitoring Devices and Reports (Effective 4/2/2010)
Section 7.15: U Asbestos (Effective 4/2/2010)
Section 7.18: U Volatile and Halogenated Organic Compounds (Effective 4/2/2010)
Section 7.19: U Reasonably Available Control Technology (RACT) for Sources of Oxides of Nitrogen (NOx) (Effective 4/2/2010)
Section 7.21: Sulfur Dioxide Emissions Limitations (Effective 4/2/2010)
Section 7.22: Sulfur Dioxide Emissions Reductions for the Purpose of Reducing Acid Rain (Effective 4/2/2010)
Section 7.25: U Best Available Controls for Consumer and Commercial Products (Effective 4/2/2010)
Section 7.26: Industry Performance Standards (Effective 4/2/2010)
Section 7.32: Massachusetts Clean Air Interstate Rule (Mass CAIR) (Effective 4/2/2010)
Section 7.60: U Severability (Effective 4/2/2010)
Section 7.70: Massachusetts CO2 Budget Trading Program (Effective 4/2/2010)
Section 7.00: Appendix A (Effective 4/2/2010)
Section 7.00: Appendix B (Effective 4/2/2010)

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:

Regulatory History

On March 31, 2008, the NTSB published an NPRM entitled, “Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records,” in the Federal Register (73 FR 16826). This NPRM proposed the addition of a new definition of “unmanned aircraft accident” to the section of the NTSB’s regulations concerning notification of aircraft accidents and incidents (49 CFR 830.2) to clarify the applicability of these regulations to unmanned aircraft systems (UAS). The proposed definition stated, “Unmanned aircraft accident means an occurrence associated with the operation of a public or civil unmanned aircraft that takes place between the time that the aircraft is activated with the purpose of flight and the time that the aircraft is deactivated at the conclusion of its mission, in which any person suffers death or serious injury, in which the aircraft receives substantial damage.” The NPRM also proposed the addition of the following sentence to the NTSB’s existing definition of aircraft accident: “For purposes of this part, the definition of ‘aircraft accident’ includes ‘unmanned aircraft accident,’ as defined herein.” Together, these proposed additions would require that the NTSB be notified of unmanned aircraft accidents as defined in the NPRM. The NTSB requested comments on the NPRM by June 30, 2008, but subsequently reopened the comment period for the NPRM and accepted all comments submitted by September 30, 2008.

The NTSB analyzed the potential application of the Regulatory Flexibility Act (5 United States Code [U.S.C.] 601–612) to this rule. Before publishing the NPRM, the NTSB considered whether this rule would have a significant economic impact on a substantial number of small entities, and it certified under 5 U.S.C. 605(b) that this rule would not have such an impact. The NTSB notes that this rule will require affected persons to notify the NTSB of applicable UAS accidents by the most expeditious means available as described in 49 CFR 830.5 and, in some cases, to complete NTSB Form 6120.1, “Pilot/Operator Accident/Incident Report,” as described in 49 CFR 830.15, within 10 days after an applicable UAS accident. Any cost for an individual to

NATIONAL TRANSPORTATION SAFETY BOARD

49 CFR Part 830

Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records

AGENCY: National Transportation Safety Board (NTSB).

ACTION: Final rule.

SUMMARY: The NTSB is amending its regulations on the notification and reporting of aircraft accidents or incidents by adding a definition of “unmanned aircraft accident” and requiring that operators notify the NTSB of accidents involving such aircraft. (Unmanned aircraft are often also called unmanned aerial systems.)

DATES: This final rule will become effective October 25, 2010.


BILLING CODE 6560–50–P
would identify as an aircraft and not a

Notification to and response by

purposes of accident investigation.

would not address the concerns of the

NTSB notes that operators of manned

operator also are required to make

cause.

the cited MGTOW of 300 pounds is

was 300 pounds or

military operations. Further, the NTSB

for fulfilling its

The NTSB maintains that the change

The NTSB also notes that

accidents independent of the FAA. The

some commenters expressed concern about the NTSB accident definition for UASs with fragile components. The

Commenters also discussed incident-

The NTSB is not proposing any

information. Therefore, the NTSB put

to the FAA, pursuant to the provisions of each FAA

Certificate of Authorization (COA). See

72 FR 6689 (Feb. 13, 2007). The FAA

COA Guidance Manual 08–01 notes that

operators are already required to submit a report of an

accident involving a UAS to the FAA,

The NTSB also notes that

NTSB verified that its certification under

51954 Federal Register / Vol. 75, No. 163 / Tuesday, August 24, 2010 / Rules and Regulations

Federal Register / Vol. 75, No. 163 / Tuesday, August 24, 2010 / Rules and Regulations
List of Subjects in 49 CFR Part 830

Aircraft accidents, Aircraft incidents, Aviation safety, Overdue aircraft notification and reporting, Reporting and recordkeeping requirements.

In conclusion, for the reasons discussed in the preamble, the NTSB amends 49 CFR part 830 as follows:

1. The authority citation for 49 CFR part 830 continues to read as follows:


2. Amend §830.2 to add the following sentence at the end of the definition of “Aircraft accident” and to add a new definition of “Unmanned aircraft accident” to read as follows:

§830.2 Definitions

Aircraft accident * * * * * For purposes of this part, the definition of “aircraft accident” includes “unmanned aircraft accident,” as defined herein. * * * * *

Unmanned aircraft accident means an occurrence associated with the operation of any public or civil unmanned aircraft system that takes place between the time that the system is activated with the purpose of flight and the time that the system is deactivated at the conclusion of its mission, in which:

(1) Any person suffers death or serious injury; or

(2) The aircraft has a maximum gross takeoff weight of 300 pounds or greater and sustains substantial damage.

Dated: August 17, 2010.
Deborah A.P. Hersman,
Chairman.
[FR Doc. 2010–20864 Filed 8–23–10; 8:45 am]
BILLING CODE 7533–01–P