exists to make this rule effective upon publication of this notice.

List of Subjects in 10 CFR Part 50
Administrative practice and procedure, Antitrust, Classified information, Criminal penalties, Education, Fire prevention, Fire protection, Incorporation by reference, Intergovernmental relations, Nuclear power plants and reactors, Penalties, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements, Whistleblowing.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and 5 U.S.C. 552 and 553, the NRC is adopting the following amendments to 10 CFR part 50:

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

§ 50.55a Codes and standards.
1. The authority citation for part 50 continues to read as follows:
2. Amend § 50.55a by revising paragraph (b)(2)(xviii)(D) and the introductory text of paragraph (b)(3)(iv) to read as follows:

§50.55a Codes and standards.

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<table>
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<td>(iii)</td>
<td></td>
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<td>(b)</td>
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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2017–1140; Special Conditions No. 25–711–SC]

Special Conditions: Dassault Aviation, Model Falcon 7X Airplane; Non-Rechargeable Lithium Battery Installations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comment.

SUMMARY: These special conditions are issued for non-rechargeable lithium battery installations on the Dassault Aviation (Dassault) Model Falcon 7X airplane. Non-rechargeable lithium batteries are a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: This action is effective on Dassault Aviation on January 18, 2018. Send your comments by March 5, 2018.

ADDRESSES: Send comments identified by docket number FAA–2017–1140 using any of the following methods:

• Federal eRegulations Portal: Go to http://www.regulations.gov/ and follow the online instructions for sending your comments electronically.

• Mail: Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

• Hand Delivery or Courier: Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

• Fax: Fax comments to Docket Operations at 202–493–2251.

Privacy: The FAA will post all comments it receives, without change, to http://www.regulations.gov/, including any personal information the commenter provides. Using the search function of the docket website, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT’s complete Privacy Act Statement can be found in the Federal Register published on April 11, 2000 (65 FR 19477–19478). Docket: Background documents or comments received may be read at http://www.regulations.gov/ at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington,

Summary of Special Conditions

<table>
<thead>
<tr>
<th>Condition</th>
<th>Requirement</th>
</tr>
</thead>
</table>

Tightening and evaluation shall support the determination that the valve or group of valves is capable of performing its intended function(s) over the entire interval. At least one of the Appendix II condition monitoring activities for a valve group shall be performed on each valve of the group at approximate equal intervals not to exceed the maximum interval shown in the following table:

<table>
<thead>
<tr>
<th>Group size</th>
<th>Maximum interval between activities of member valves in the groups (years)</th>
<th>Maximum interval between activities of each valve in the group (years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>≥4</td>
<td>4.5</td>
<td>16</td>
</tr>
<tr>
<td>3</td>
<td>4.5</td>
<td>12</td>
</tr>
<tr>
<td>2</td>
<td>6</td>
<td>12</td>
</tr>
<tr>
<td>1</td>
<td>Not applicable</td>
<td>10</td>
</tr>
</tbody>
</table>

Dated at Rockville, Maryland, this 10th day of January, 2018.

For the Nuclear Regulatory Commission.

Cindy Bladey, 
Chief, Regulatory Analysis and Rulemaking Support Branch, Division of Rulemaking, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2018–00708 Filed 1–17–18; 8:45 am]

BILLING CODE 7590–01–P
FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:

Future Requests for Installation of Non-Rechargeable Lithium Batteries

The FAA anticipates that non-rechargeable lithium batteries will be installed in most makes and models of transport category airplanes. We intend to require special conditions for certification projects involving non-rechargeable lithium battery installations to address certain safety issues until we can revise the airworthiness requirements. Applying special conditions to these installations across the range of transport category airplanes will ensure regulatory consistency.

Typically, the FAA issues special conditions after receiving an application for type certificate approval of a novel or unusual design feature. However, the FAA has found that the presence of non-rechargeable lithium batteries in certification projects is not always immediately identifiable, since the battery itself may not be the focus of the project. Meanwhile, the inclusion of these batteries has become virtually ubiquitous on in-production transport category airplanes, which shows that there will be a need for these special conditions. Also, delaying the issuance of special conditions until after each design application is received could lead to costly certification delays. Therefore, the FAA finds it necessary to issue special conditions applicable to these battery installations on particular makes and models of aircraft.

On April 22, 2016, the FAA published special conditions no. 25–612–SC in the Federal Register (81 FR 23573) applicable to Gulfstream Aerospace Corporation for the GVI airplane. Those were the first special conditions the FAA issued for non-rechargeable lithium battery installations. We explained in that document our decision to make those special conditions effective one year after publication in the Federal Register, which is April 22, 2017. In those special conditions, the FAA stated its intention to apply non-rechargeable lithium battery special conditions to design changes on other makes and models applied for after this same date.

Section 1205 of the FAA Reauthorization Act of 1996 requires the FAA to consider the extent to which Alaska is not served by transportation modes other than aviation and to establish appropriate regulatory distinctions when modifying airworthiness regulations that affect intrastate aviation in Alaska. In consideration of this requirement and the overall impact on safety, the FAA does not intend to require non-rechargeable lithium battery special conditions for design changes that only replace a 121.5 megahertz (MHz) emergency locator transmitter (ELT) with a 406 MHz ELT that meets Technical Standard Order C126b, or later revision, on transport airplanes operating only in Alaska. This will support our efforts of encouraging operators in Alaska to upgrade to a 406 MHz ELT. These ELTs provide significantly improved accuracy for lifesaving services to locate an accident site in Alaskan terrain. The FAA considers that the safety benefits from upgrading to a 406 MHz ELT for Alaskan operations will outweigh the battery fire risk.

Comments Invited

The substance of these special conditions previously has been published in the Federal Register for public comment. These special conditions have 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. Therefore, the FAA has determined that prior public notice and comment are unnecessary, and finds that, for the same reason, good cause exists for adopting these special conditions upon publication in the Federal Register.

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. We invite interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

We will consider all comments we receive by the closing date for comment. We may change these special conditions based on the comments we receive.

Background

Dassault holds type certificate no. A59NM, which provides the certification basis for the Model Falcon 7X airplane. The Dassault Model Falcon 7X airplane is a twin engine, transport category airplane with a passenger seating capacity of 19 and a maximum takeoff weight of 70,000 to 73,000 pounds, depending on the specific design.

The FAA is issuing these special conditions for non-rechargeable lithium battery installations on the Dassault Model Falcon 7X airplane. The current battery requirements in title 14, Code of Federal Regulations (14 CFR) part 25 are inadequate for addressing an airplane with non-rechargeable lithium batteries.

Type Certification Basis

Under the provisions of 14 CFR 21.101, Dassault must show that the Model Falcon 7X airplane meets the applicable provisions of the regulations listed in type certificate no. A59NM or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA. In addition, the certification basis includes certain special conditions, exemptions, or later amended sections that are not relevant to these special conditions. If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Dassault Model Falcon 7X airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the airplane model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Dassault Model Falcon 7X airplane must comply with the fuel vent and exhaust-emission requirements of 14 CFR part 34, and the noise-certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.101.
Novel or Unusual Design Feature

The novel or unusual design feature is the installation of non-rechargeable lithium batteries.

For the purpose of these special conditions, we refer to a battery and battery system as a battery. A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging.

Discussion

The FAA derived the current regulations governing installation of batteries in transport category airplanes from Civil Air Regulations (CAR) 4b.625(d) as part of the recodification of CAR 4b that established 14 CFR part 25 in February 1965. This recodification basically worded the CAR 4b battery requirements, which are currently in § 25.1353(b)(1) through (4). Non-rechargeable lithium batteries are novel and unusual with respect to the state of technology considered when these requirements were codified. These batteries introduce higher energy levels into airplane systems through new chemical compositions in various battery cell sizes and construction. Interconnection of these cells in battery packs introduces failure modes that require unique design considerations, such as provisions for thermal management.

Recent events involving rechargeable and non-rechargeable lithium batteries prompted the FAA to initiate a broad evaluation of these energy storage technologies. In January 2013, two independent events involving rechargeable lithium-ion batteries revealed unanticipated failure modes. A National Transportation Safety Board (NTSB) letter to the FAA, dated May 22, 2014, which is available at http://www.ntsb.gov, filename A–14–032–036.pdf, describes these events.

On July 12, 2015, an event involving a non-rechargeable lithium battery in an emergency locator transmitter installation demonstrated unanticipated failure modes. The United Kingdom’s Air Accidents Investigation Branch Bulletin S5/2013 describes this event.

Some known uses of rechargeable and non-rechargeable lithium batteries on airplanes include:

- Flight deck and avionics systems such as displays, global positioning systems, cockpit voice recorders, flight data recorders, underwater locator beacons, navigation computers, integrated avionics computers, satellite network and communication systems, communication management units, and remote-monitor electronic line-replaceable units;
- Cabin safety, entertainment, and communications equipment, including emergency locator transmitters, life rafts, escape slides, seatbelt airbags, cabin management systems, Ethernet switches, routers and media servers, wireless systems, internet and in-flight entertainment systems, satellite televisions, remotes, and handsets;
- Systems in cargo areas including door controls, sensors, video surveillance equipment, and security systems.

Some known potential hazards and failure modes associated with non-rechargeable lithium batteries are:

- Internal failures: In general, these batteries are significantly more susceptible to internal failures that can result in self-sustaining increases in temperature and pressure (i.e., thermal runaway) than their nickel-cadmium or lead-acid counterparts. The metallic lithium can ignite, resulting in a self-sustaining fire or explosion.
- Fast or imbalanced discharging: Fast discharging or an imbalanced discharge of one cell of a multi-cell battery may create an overheating condition that results in an uncontrollable venting condition, which in turn leads to a thermal event or an explosion.
- Flammability: Unlike nickel-cadmium and lead-acid batteries, lithium batteries use higher energy and current in an electrochemical system that can be configured to maximize energy storage of lithium. They also use liquid electrolytes that can be extremely flammable. The electrolyte, as well as the electrodes, can serve as a source of fuel for an external fire if the battery casing is breached.

Special condition no. 1 of these special conditions requires that each individual cell within a non-rechargeable lithium battery be designed to maintain safe temperatures and pressures. Special condition no. 2 addresses these same issues but for the entire battery. Special condition no. 2 requires the battery be designed to prevent propagation of a thermal event, such as self-sustained, uncontrollable increases in temperature or pressure from one cell to adjacent cells.

Special conditions nos. 1 and 2 are intended to ensure that the non-rechargeable lithium battery and its cells are designed to eliminate the potential for uncontrollable failures. However, a certain number of failures will occur due to various factors beyond the control of the battery designer. Therefore, other special conditions are intended to protect the airplane and its occupants if failure occurs.

Special conditions 3, 7, and 8 are self explanatory.

Special condition no. 4 makes it clear that the flammable fluid fire protection requirements of § 25.863 apply to non-rechargeable lithium battery installations. Section 25.863 is applicable to areas of the airplane that could be exposed to flammable fluid leakage from airplane systems. Non-rechargeable lithium batteries contain an electrolyte that is a flammable fluid. Special condition no. 5 requires that each non-rechargeable lithium battery installation not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

While special condition no. 5 addresses corrosive fluids and gases, special condition no. 6 addresses heat. Special condition no. 6 requires that each non-rechargeable lithium battery installation have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat the battery installation can generate due to any failure of it or its individual cells. The means of meeting special conditions nos. 5 and 6 may be the same, but the requirements are independent and address different hazards.

These special conditions apply to all non-rechargeable lithium battery installations in lieu of § 25.1353(b)(1) through (4) at Amendment 25–123 or § 25.1353(c)(1) through (4) at earlier amendments. Those regulations remain in effect for other battery installations.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

These special conditions are applicable to the Dassault Model Falcon 7X airplane. Should Dassault apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well.

These special conditions are only applicable to design changes applied for after the effective date.

These special conditions are not applicable to changes to previously certified non-rechargeable lithium battery installations where the only change is either cosmetic or to relocate the installation to improve the safety of
the airplane and occupants. Previously
certified non-rechargeable lithium
battery installations, as used in this
paragraph, are those installations
approved for certification projects
applied for on or before the effective
date of these special conditions. A
cosmetic change is a change in
appearance only, and does not change
any function or safety characteristic
of the battery installation. These special
conditions are also not applicable to
unchanged, previously certified non-
rechargeable lithium battery
installations that are affected by a
change in a manner that improves the
safety of its installation. The FAA
determined that these exclusions are in
the public interest because the need to
meet all of the special conditions might
otherwise deter these design changes
that improve safety.

Conclusion
This action affects only certain a
novel or unusual design feature on one
model of airplane. It is not a rule of
general applicability.

List of Subjects in 14 CFR Part 25
Aircraft, Aviation safety, Reporting
and record keeping requirements.
The authority citation for these
special conditions is as follows:
Authority: 49 U.S.C. 106(g), 40113, 44701,
44702, 44704.

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 Dassault
Model Falcon 7X airplane.

Non-Rechargeable Lithium Battery
Installations
In lieu of § 25.1353(b)(1) through (4)
at Amendment 25–123 or § 25.1353(c)(1)
through (4) at earlier amendments, each
non-rechargeable lithium battery
installation must:
1. Be designed to maintain safe cell
temperatures and pressures under all
foreseeable operating conditions to
prevent fire and explosion.
2. Be designed to prevent the
occurrence of self-sustaining,
uncontrollable increases in temperature
or pressure.
3. Not emit explosive or toxic gases,
either in normal operation or as a result
of its failure, that may accumulate in
hazardous quantities within the
airplane.
4. Meet the requirements of § 25.863.
5. Not damage surrounding structure
or adjacent systems, equipment, or
electrical wiring from corrosive fluids or
gases that may escape in such a way as
to cause a major or more severe failure
condition.
6. Have provisions to prevent any
hazardous effect on airplane structure or
systems caused by the maximum
amount of heat it can generate due to
any failure of it or its individual cells.
7. Have a failure sensing and warning
system to alert the flightcrew if its
failure affects safe operation of the
airplane.
8. Have means for the flightcrew or
maintenance personnel to determine the
battery charge state if the battery’s
function is required for safe operation of
the airplane.

Note: A battery system consists of the
battery and any protective, monitoring,
and alerting circuitry or hardware inside or
outside of the battery. It also includes vents
(where necessary) and packaging. For the
purpose of these special conditions, a
“battery” and “battery system” are referred to
as a battery.

Issued in Renton, Washington, on January
9, 2018.
Victor Wicklund,
Manager, Transport Standards Branch, Policy
and Innovation Division, Aircraft
Certification Service.
[FR Doc. 2018–00716 Filed 1–17–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 25
[Docket No. FAA–2017–1142; Special
Conditions No. 25–712–SC]

Special Conditions: Dassault Aviation
Model Falcon 900EX Airplanes; Non-
Rechargeable Lithium Battery
Installations

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final special conditions; request
for comment.

SUMMARY: These special conditions are
issued for non-rechargeable lithium
battery installations on the Dassault
Aviation (Dassault) Model Falcon
900EX airplane. Non-rechargeable
lithium batteries are a novel or unusual
design feature when compared to the
state of technology envisioned in the
airworthiness standards for transport
category airplanes. The applicable
airworthiness regulations do not contain
adequate or appropriate safety standards
for this design feature. These special
conditions contain the additional safety
standards that the Administrator
considers necessary to establish a level
of safety equivalent to that established
by the existing airworthiness standards.

DATES: This action is effective on
Dassault Aviation on January 18, 2018.
Send your comments by March 5, 2018.

ADDRESSES: Send comments identified
docket number FAA–2017–1142
using any of the following methods:
• Federal eRulemaking Portal: Go to
http://www.regulations.gov/ and follow
the online instructions for sending your
comments electronically.
• Mail: Send comments to Docket
Operations, M–30, U.S. Department of
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Avenue SE, Room W12–140, West
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20590–0001.
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Privacy: The FAA will post all
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including any personal information the
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function of the docket website, anyone
can find and read the electronic form of
all comments received into any FAA
docket, including the name of the
individual sending the comment (or
signing the comment for an association,
business, labor union, etc.). DOT’s
complete Privacy Act Statement can be
found in the Federal Register
published on April 11, 2000 (65 FR
19477–19478).

Docket: Background documents or
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New Jersey Avenue SE, Washington,
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through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:
Nazih Khaouly, Airplane and Flight
Crew Interface Section, AIR–671,
Transport Standards Branch, Policy
and Innovation Division, Aircraft
Certification Service, 1601 Lind Avenue
SW, Renton, Washington 98057–3356;
telephone 425–227–2432; facsimile

SUPPLEMENTARY INFORMATION:
Future Requests for Installation of
Non-Rechargeable Lithium Batteries

The FAA anticipates that
non-rechargeable lithium batteries will be
installed in most makes and models of