

21701 (86 FR 46766, August 20, 2021); and

■ **b. Adding the following new AD:**

**Leonardo S.p.a.:** Docket No. FAA–2022–0024; Project Identifier MCAI–2021–00994–R.

**(a) Comments Due Date**

The FAA must receive comments by March 21, 2022.

**(b) Affected Airworthiness Directives (ADs)**

This AD replaces AD 2021–17–18, Amendment 39–21701 (86 FR 46766, August 20, 2021) (AD 2021–17–18).

**(c) Applicability**

This AD applies to all Leonardo S.p.a. Model A109C, A109K2, A109E, A109S, and AW109SP helicopters, certificated in any category.

**(d) Subject**

Joint Aircraft System Component (JASC) Code 6400, Tail Rotor System.

**(e) Unsafe Condition**

This AD was prompted by a report of a crack on the tail rotor (TR) mast. The FAA is issuing this AD to address cracking on the TR mast, which could lead to failure of the TR mast, with consequent loss of control of the helicopter.

**(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 2021–0144, dated June 17, 2021 (EASA AD 2021–0144).

**(h) Exceptions to EASA AD 2021–0144**

(1) Where EASA AD 2021–0144 refers to its effective date, this AD requires using September 7, 2021 (the effective date of AD 2021–17–18).

(2) The “Remarks” section of EASA AD 2021–0144 does not apply to this AD.

(3) Where EASA AD 2021–0144 refers to flight hours (FH), this AD requires using hours time-in-service.

(4) Where paragraph (1) of EASA AD 2021–0144 specifies a compliance time of 25 FH or 3 months, whichever occurs first, this AD requires compliance within 25 hours time-in-service after September 7, 2021 (the effective date of AD 2021–17–18).

(5) Where Note 1 of EASA AD 2021–0144 specifies a tolerance of 30 FH, this AD does not allow a tolerance.

(6) The initial compliance time for the inspection specified in paragraph (5) of EASA AD 2021–0144 is at the compliance time specified in paragraph (5) of EASA AD 2021–0144, or within 30 days after the effective date of this AD, whichever occurs later.

(7) Where paragraph (6) of EASA AD 2021–0144 states the term “discrepancies,” for the purposes of this AD discrepancies include

dents, corrosion, elongation, scratches, wear, excessive wear (web visible), fretting, or stepping.

(8) Where paragraph (7) of EASA AD 2021–0144 states the term “discrepancies,” for the purposes of this AD discrepancies include abnormal wear condition, corrosion, fretting, crack, or damage (including dents, elongation, scratches, or stepping).

(9) Where EASA AD 2021–0144 defines “serviceable part,” and that definition specifies instructions that are “approved under Leonardo Design Organization Approval (DOA) or by EASA,” for this AD, the repair must be accomplished using a method approved by the Manager, General Aviation and Rotorcraft Section, International Validation Branch, FAA; or EASA; or Leonardo S.p.a.’s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(10) Where Note 2 and paragraph (7) of EASA AD 2021–0144 specify instructions that are “approved under Leonardo DOA or by EASA,” for this AD, the repair must be accomplished using a method approved by the Manager, General Aviation and Rotorcraft Section, International Validation Branch, FAA; or EASA; or Leonardo S.p.a.’s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(11) Where the service information referenced in EASA AD 2021–0144 specifies to contact the manufacturer for corrective action, this AD requires the repair to be done in accordance with a method approved by the Manager, General Aviation and Rotorcraft Section, International Validation Branch, FAA; or EASA; or Leonardo S.p.a.’s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(12) Where the service information referenced in EASA AD 2021–0144 specifies to discard a certain part, this AD requires removing that part from service.

**(i) Special Flight Permit**

Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the actions of this AD can be performed, provided no passengers are onboard.

**(j) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, 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 manager of the 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-AVS-AIR-730-AMOC@faa.gov](mailto:9-AVS-AIR-730-AMOC@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.

**(k) Related Information**

(1) For EASA AD 2021–0144, contact the EASA, Konrad-Adenauer-Ufer 3, 50668

Cologne, Germany; phone: +49 221 8999 000; 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, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call 817–222–5110. 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–2022–0024.

(2) For more information about this AD, contact Andrea Jimenez, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; phone: (516) 228–7330; email: [andrea.jimenez@faa.gov](mailto:andrea.jimenez@faa.gov).

Issued on January 27, 2022.

**Lance T. Gant,**

*Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2022–02073 Filed 2–2–22; 8:45 am]

**BILLING CODE 4910–13–P**

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**RAILROAD RETIREMENT BOARD**

**20 CFR Part 220**

**RIN 3220–AB77**

**Consultative Examinations**

**AGENCY:** Railroad Retirement Board.

**ACTION:** Proposed rule.

**SUMMARY:** The Railroad Retirement Board proposes to amend its regulations concerning consultative examinations used in adjudication of claims for disability annuities. The amendment will permit psychological and psychiatric consultative examinations to be conducted through the use of video teleconferencing technology. The amendment will allow the remote conduct of examinations where physical contact is not required and will facilitate medical evaluations when physical proximity is not feasible.

**DATES:** Submit comments on or before April 4, 2022.

**ADDRESSES:** You may send comments, identified by RIN number, by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for sending comments.

*Email:* [SecretarytotheBoard@RRB.gov](mailto:SecretarytotheBoard@RRB.gov). Include RIN 3220–AB77 in the subject line of the message.

*Mail:* Secretary to the Board, Railroad Retirement Board, 844 N Rush St., Chicago, IL 60611–1275.

**FOR FURTHER INFORMATION CONTACT:** Marguerite P. Dadabo, (312) 751–4945,

TTD (312) 751-4701,  
Marguerite.Dadabo@rrb.gov.

**SUPPLEMENTARY INFORMATION:** The Railroad Retirement Board (Board) proposes to amend its disability regulations to allow video teleconferencing technology (VTT) to be used to conduct a psychological or a psychiatric consultative examination in a case where such technology permits proper evaluation of a claimant. A VTT consultative examination is an examination conducted through a telecommunications system that allows the examining physician or psychologist and the claimant to see and hear each other for the purpose of communication in real time. A VTT consultative examination must comply with all requirements for consultative examinations in subpart G of Part 220 of the Board's regulations, 20 CFR part 220, subpart G. In addition, the following requirements must be followed if a VTT consultative examination is used. The examining physician or psychologist must be currently licensed in the state in which the provider practices.

The examining physician or psychologist must have the training and experience to perform the type of examination requested. The examining physician or psychologist must have access to VTT, and the claimant must live in the same state in which the provider practices. The claimant shall have the right to refuse a VTT consultative examination without penalty.

#### Regulatory Requirements

*Executive Order 12866, as  
Supplemented by Executive Order  
13563*

We consulted with the Office of Management and Budget (OMB) and determined that this proposed rule does not meet the criteria for a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563.

*Executive Order 13132 (Federalism)*

This proposed rule will not have substantial direct effects 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. Therefore, in accordance with section 6 of Executive Order 13132, the Board believes that this proposed rule will not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

#### Regulatory Flexibility Act

We certify that this proposed rule would not have a significant economic impact on a substantial number of small entities because the proposed rule affects individuals only. Therefore, a regulatory flexibility analysis is not required under the Regulatory Flexibility Act, as amended.

#### Unfunded Mandates Reform Act of 1995

This proposed rule will not result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions are deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

#### Paperwork Reduction Act

This proposed rule does not create any new or affect any existing collections and, therefore, does not require OMB approval under the Paperwork Reduction Act.

#### List of Subjects in 20 CFR Part 220

Disability benefits, railroad employees, railroad retirement.

For the reasons discussed in the Preamble, the Railroad Retirement Board proposes to amend 20 CFR part 220 as follows:

#### PART 220—DETERMINING DISABILITY

■ 1. The authority citation for part 220 continues to read as follows:

**Authority:** 45 U.S.C. 231a; 45 U.S.C. 231f.

■ 2. Amend § 220.57 by adding paragraph (c) to read as follows:

#### § 220.57 Types of purchased examinations and selection of sources.

\* \* \* \* \*

(c) *Use of Video Teleconferencing Technology.* Video teleconferencing technology (VTT) may be used for a psychological or a psychiatric consultative examination provided that the following requirements are met:

(1) The examining physician or psychologist is currently state-licensed in the state in which the provider practices;

(2) The examining physician or psychologist has the training and experience to perform the type of examination requested;

(3) The examining physician or psychologist has access to video teleconferencing technology;

(4) The examining physician or psychologist is permitted to perform the exam in accordance with state licensing laws and regulations;

(5) The protocol for the examination does not require physical contact;  
(6) The claimant has the right to refuse a VTT examination without penalty; and

(7) The VTT examination complies with all requirements in this Subpart governing consultative examinations.

Dated: January 27, 2022.

For the Board

**Stephanie Hillyard,**

*Secretary to the Board.*

[FR Doc. 2022-02065 Filed 2-2-22; 8:45 am]

**BILLING CODE P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R08-OAR-2021-0678; FRL-9299-01-R8]

### Air Plan Approval; Montana; 2015 Ozone NAAQS Interstate Transport Requirements

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Clean Air Act (CAA) requires each State Implementation Plan (SIP) to contain adequate provisions prohibiting emissions that will significantly contribute to nonattainment or interfere with maintenance of air quality in other states. The State of Montana made a submission to the Environmental Protection Agency (EPA or Agency) to address these requirements for the 2015 ozone National Ambient Air Quality Standards (NAAQS). EPA is proposing to approve the submission for Montana as meeting the requirement that the SIP contains adequate provisions to prohibit emissions that will significantly contribute to nonattainment or interfere with maintenance of the 2015 ozone NAAQS in any other state.

**DATES:** Written comments must be received on or before March 7, 2022.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R08-OAR-2021-0678, to the Federal Rulemaking Portal: <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [www.regulations.gov](https://www.regulations.gov). EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is