

(c) Applicability

This AD applies to all The Boeing Company Model 767-200, -300, -300F, -400ER, and -2C series airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 27, Flight controls;

(e) Unsafe Condition

This AD was prompted by reports of inoperative manual and alternate horizontal stabilizer trim switches; an investigation found that certain drain holes were blocked, causing water and ice to collect and subsequently cover the limit switch and position transmitter modules (LSPTMs), which affected their function. The FAA is issuing this AD to address collected water or ice that could damage the LSPTMs and cause stabilizer trim position sensors to generate corrupt or erroneous signals to the flight crew. This condition, if not addressed, could result in misleading or confusing flight deck indications, a high speed overrun during takeoff, or a low altitude stall immediately after takeoff.

(f) Compliance

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

(g) Required Actions

(1) For all Model 767-200, -300, -300F, and -400ER airplanes: Except as specified by paragraph (h) of this AD, at the applicable times specified in the "Compliance" paragraph of Boeing Alert Requirements Bulletin 767-27A0240 RB, dated January 19, 2021, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 767-27A0240 RB, dated January 19, 2021.

Note 1 to paragraph (g)(1): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 767-27A0240, dated January 19, 2021, which is referred to in Boeing Alert Requirements Bulletin 767-27A0240 RB, dated January 19, 2021.

(2) For Model 767-200, -300, -300F, and -400ER airplanes, as identified in Boeing Alert Requirements Bulletin 767-27A0243 RB, dated May 28, 2021: Except as specified by paragraph (h) of this AD, at the applicable times specified in the "Compliance" paragraph of Boeing Alert Requirements Bulletin 767-27A0243 RB, dated May 28, 2021, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 767-27A0243 RB, dated May 28, 2021. Accomplishing the installation of two new drain holes required by this paragraph terminates the repetitive inspections of the drain holes required by paragraph (g)(1) of this AD.

Note 2 to paragraph (g)(2): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 767-27A0243, dated May 28, 2021, which is referred to in Boeing Alert

Requirements Bulletin 767-27A0243 RB, dated May 28, 2021.

(3) For Model 767-2C airplanes: Within 90 days after the effective date of this AD, inspect the LSPTMs, LSPTM electrical wiring, drain holes, and leveling compound; install two new drain holes as applicable; and do applicable on-condition actions in accordance with a method approved by the Manager, AIR-520 Continued Operational Safety Branch, FAA.

(h) Exceptions to Service Information Specifications

(1) Where Boeing Alert Requirements Bulletin 767-27A0243 RB, dated May 28, 2021, uses the phrase "the original issue date of the Requirements Bulletin 767-27A0243 RB," this AD requires using "the effective date of this AD."

(2) Where Boeing Alert Requirements Bulletin 767-27A0240 RB, dated January 19, 2021, uses the phrase "the original issue date of the Requirements Bulletin 767-27A0240 RB," this AD requires using "the effective date of this AD."

(3) Where Boeing Alert Requirements Bulletin 767-27A0243 RB, dated May 28, 2021, specifies a compliance time for Action 1 (accomplishment of Boeing Alert Requirements Bulletin 767-27A0240 RB, dated January 19, 2021), for this AD the compliance times for accomplishing the actions in Boeing Alert Requirements Bulletin 767-27A0240 RB, dated January 19, 2021, are as specified in paragraph (g)(1) of this AD.

(4) Where the "Repeat Interval (Not to Exceed)" column of the Compliance tables in Boeing Alert Requirements Bulletin 767-27A0240 RB, dated January 19, 2021, specifies "90 days," this AD requires using "150 days."

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, AIR-520 Continued Operational Safety 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 responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (j)(1) of this AD. Information may be emailed to: 9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR-520 Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(j) Additional Information

(1) For more information about this AD, contact Doug Tsuji, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206-231-3548; email: Douglas.Tsuji@faa.gov.

(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (k)(3) and (4) of this AD.

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Alert Requirements Bulletin 767-27A0240 RB, dated January 19, 2021.

(ii) Boeing Alert Requirements Bulletin 767-27A0243 RB, dated May 28, 2021.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; website myboeingfleet.com.

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, fr.inspection@nara.gov, or go to: www.archives.gov/federal-register/cfr/ibr-locations.html.

Issued on June 28, 2023.

Michael Linegang,

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

[FR Doc. R1-2023-15305 Filed 7-31-23; 8:45 am]

BILLING CODE 0099-10-D

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2022-0245; Airspace Docket No. 19-AAL-49]

RIN 2120-AA66

Establishment of United States Area Navigation (RNAV) Route T-380; Emmonak, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes United States Area Navigation (RNAV) T-route,

T-380, in the vicinity of Emmonak, AK in support of a large and comprehensive T-route modernization project for the state of Alaska.

DATES: Effective date 0901 UTC, October 5, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the notice of proposed rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at www.faa.gov/air_traffic/publications/. You may also contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it expands the availability of RNAV in Alaska and improve the efficient flow of air traffic within the National Airspace System by lessening the dependency on ground-based navigation.

History

The FAA published a NPRM for Docket No. FAA-2022-0244 in the **Federal Register** (87 FR 16679; March 24, 2022), establishing RNAV T-route, T-380, in the vicinity of Emmonak, AK in support of a large and comprehensive

T-route modernization project for the state of Alaska. Interested parties were invited to participate in this rulemaking effort by submitting comments on the proposal. No comments were received.

Incorporation by Reference

United States Area Navigation routes are published in paragraph 2006 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document amends the current version of that order, FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by establishing RNAV route T-380 in the vicinity of Emmonak, AK in support of a large and comprehensive T-route modernization project in the state of Alaska.

The new route is described below.

T-380: T-380 extends from the Emmonak, AK, (ENM) Very High Frequency (VHF) Omnidirectional Range/Distance Measuring Equipment (VOR/DME) to the Sparrevohn, AK (SQA), VOR/DME, due to the decommissioning of the St. Mary's, (SMA) AK, the Aniak, (ANI) AK, and the Cairn Mountain, (CRN) AK, Non-directional Radio Beacons (NDB).

The full description of T-380 is listed in the amendments to part 71 set forth below. This action is necessary to support T-route modernization project for the state of Alaska.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when

promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this airspace action of establishing RNAV route T-380 in the vicinity of Emmonak, AK qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points), and paragraph 5-6.5i, which categorically excludes from further environmental review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G,

Paragraph 6011 United States Area Navigation Routes

T-380 EMMONAK, AK (ENM) TO SPARREVOHN, AK (SQA) [NEW]

Emmonak, AK (ENM)	VOR/DME	(Lat. 62°47'04.52" N, long. 164°29'15.12" W).
HUROF, AK	WP	(Lat. 62°05'37.50" N, long. 163°41'00.03" W).
JOPEF, AK	WP	(Lat. 62°03'33.30" N, long. 163°17'07.68" W).
CIBUP, AK	WP	(Lat. 61°34'53.76" N, long. 159°32'34.95" W).
AMEDE, AK	WP	(Lat. 61°34'17.31" N, long. 158°25'46.86" W).
CERTU, AK	WP	(Lat. 61°25'08.81" N, long. 157°15'46.63" W).
FABGI, AK	WP	(Lat. 61°13'51.69" N, long. 156°14'37.32" W).
Sparrevohn, AK (SQA)	VOR/DME	(Lat. 61°05'54.89" N, long. 155°38'04.49" W).

* * * * *

Issued in Washington, DC, on July 26, 2023.

Karen L. Chiodini,
Acting Manager, Rules and Regulation Group.

[FR Doc. 2023–16208 Filed 7–31–23; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Part 382

[Docket No. DOT–OST–2021–0137]

RIN No. 2105–AE89

Accessible Lavatories on Single-Aisle Aircraft

AGENCY: Office of the Secretary (OST), U.S. Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: The U.S. Department of Transportation (Department or DOT) is issuing a final rule to amend the Department’s Air Carrier Access Act (ACAA) regulation to improve the accessibility of lavatories on single-aisle aircraft. This final rule is intended to ensure that our air transportation system is safe and accessible to individuals with disabilities.

DATES: This rule is effective October 2, 2023.

FOR FURTHER INFORMATION CONTACT: Robert Gorman, Senior Trial Attorney, Office of Aviation Consumer Protection, U.S. Department of Transportation, 1200 New Jersey Ave. SE, Washington, DC 20590, 202–366–9342, 202–366–7152 (fax), *robert.gorman@dot.gov* (email). You may also contact Blane Workie, Assistant General Counsel, Office of Aviation Consumer Protection, Department of Transportation, 1200 New Jersey Ave. SE, Washington, DC

20590, 202–366–9342, 202–366–7152 (fax), *blane.workie@dot.gov*.

SUPPLEMENTARY INFORMATION:

1. Purpose of Regulatory Action

The Department is committed to ensuring that our air transportation system is safe and accessible for all. This includes taking necessary action to remove transportation barriers that exist for individuals with disabilities. Like all individuals, those with disabilities rely on transportation for all aspects of their lives. Transportation connects individuals to family and friends, to jobs and to vital services, and it opens the door to opportunity.

While accessible lavatories have been required on twin-aisle aircraft for decades, until now, there has been no requirement that airlines provide accessible lavatories on single-aisle aircraft. However, single-aisle aircraft are increasingly used by airlines for long-haul flights because the fuel efficiency and range of the aircraft have improved. The percentage of flights between 1,500 and 3,000 miles flown by single-aisle aircraft increased from less than 40 percent in 1991 to 86 percent in 2021.¹ These flights can last four or more hours.

The inability to safely access and use the lavatory on long flights can impact the dignity of passengers with disabilities and deter them from traveling by air, limiting their independence and freedom to travel. This final rule addresses a human rights issue and promotes freedom to travel for people with disabilities. It is an unfortunate reality that today, many air travelers with disabilities, knowing that they will not be able to use the lavatory during a flight, may dehydrate themselves or even withhold bodily functions so that they do not need to

urinate. These actions can cause adverse health effects, including increased chances of urinary tract infections. Other passengers may use adult diapers or catheters, which they may find degrading and uncomfortable. Some wheelchair users avoid flying altogether. For example, a recent survey conducted by Paralyzed Veterans of America (PVA) and 11 other veterans’ and disability advocacy organizations found that 56% of respondents reported that inaccessible lavatories were reason enough to choose not to fly unless absolutely necessary.² These are conditions that passengers without disabilities would justifiably consider intolerable.

Regulation is necessary because the private marketplace has not met this basic need for accessible lavatories. While a relatively small number of single-aisle aircraft do have lavatories that approximate the size and functionality of accessible twin-aisle aircraft lavatories, the vast majority of aircraft lavatories are too small to accommodate on-board wheelchairs or attendants. While accessible lavatory options do exist in the marketplace, airlines have largely chosen to forgo them in favor of an additional row of seats or extra galley space. Existing lavatories often lack accessible features and a safe and reliable means of accessing those lavatories using an on-board wheelchair. Information regarding the accessible features of lavatories is difficult to obtain.

We expect this rule to directly benefit millions of individuals with mobility impairments who cannot independently access the lavatory as a result of neuromuscular injury, disease, or

² Comment of PVA, available at <https://www.regulations.gov/comment/DOT-OST-2021-0137-0350>, Exhibit A. PVA represents over 16,000 veterans of the U.S. armed forces with spinal cord injury or disease. See <https://pva.org/find-support/membership/>.

¹ TS T-100 All Segment data, retrieved November 2022.