

# EXHIBIT 92



# Code of Federal Regulations Incorporation by Reference

**This site does not link to or contain standards incorporated by reference into the CFR.**

If you are interested in obtaining a copy of a standard that has been incorporated by reference, contact the standards organization that developed the material.

## Who to Contact

For more information about a standard:

1. Use the contact information contained in the regulation to:
  - Contact the agency that issued the regulation containing the IBR standard.
  - Contact the standards organization that developed and published the material. Some standards organizations have online reading rooms that are free to the public, to registered users, or to organization members. Some of the standards incorporated by reference may be accessible at these standards organization web sites:
    - [ASTM International free online reading room](#)
    - [ASHRAE free resources](#)
    - [NFPA free access to codes and standards](#)
    - [ANSI incorporated by reference \(IBR\) portal](#)
    - [Underwriters Laboratories standards incorporated by reference](#)
    - [International Code Council \(ICC\) free resources](#)
    - [Manufacturers Standardization Society \(MSS\) reading room](#)
  - Contact aircraft and aircraft parts manufacturers directly. Some information incorporated by reference in airworthiness directives may be available online.
2. You can also find agency phone numbers and other contact information at:
  - [USA.gov](#)
  - [United States Government Manual](#)
  - [Federal Citizen Information Center, National Contact Center](#)
3. You may also use the NIST database, [Regulatory Standards Incorporated by Reference](#), for

information on the availability of IBR standards.

Generally, members of the public must pay a fee to receive a copy of the incorporated material. If you have difficulty locating the material, contact the regulatory agency that issued the regulation.

## Why is Incorporation by Reference Used?

Incorporation by reference is used primarily to make privately developed technical standards Federally enforceable. Agency generated documents are presumptively ineligible for incorporation by reference because that material can and should be published in full text in the *Federal Register* and CFR. Agencies are not authorized to incorporate by reference material on their web sites as a substitute for *Federal Register* publication.

The legal effect of incorporation by reference is that the material is treated as if it were published in the *Federal Register* and CFR. This material, like any other properly issued rule, has the force and effect of law. Congress authorized incorporation by reference in the Freedom of Information Act to reduce the volume of material published in the *Federal Register* and CFR. (See 5 U.S.C. 552(a) and 1 CFR part 51). Congress gave complete authority to the Director of the Federal Register to determine whether a proposed incorporation by reference serves the public interest.

## Where to Find Materials Incorporated by Reference at NARA Facilities

In most cases, materials incorporated by reference are made available through the standards organization that developed the standard. Contact the standards organization or other designated sources through the address listed in the *Federal Register* or CFR.


However, legal record copies of material incorporated by reference are also filed at the Office of the Federal Register (OFR) and other NARA facilities. **OFR does not distribute IBR materials.**

Legal record copies are available for public inspection and limited photo-copying. If you would like to inspect material incorporated by reference at OFR's downtown Washington, DC location, you must submit a written request and make an appointment for a specific day and time.

1. Submit your written request at least a day in advance.
2. Your request must include:
  - Your name and daytime contact information—so we can confirm your appointment and the availability of the material you are seeking or in case we have questions,
  - A detailed description of the material you wish to examine, and
  - The date and time you wish to examine the materials.



## 3. Submit your request by:

 **E-mail** [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov)

 **U.S. Mail** addressed to:

Office of the Federal Register (F)  
The National Archives and Records Administration  
8601 Adelphi Road  
College Park, MD 20740-6001

*\* Note that our mailing address differs from our physical location.  
If submitting your request by mail, we must receive your request at least a day in advance of your requested inspection date.*

The collection of materials incorporated by reference in Titles 1 through 50 of the CFR has grown to the point that they are transferred from OFR to other NARA sites on a regular basis. See the Disposition Schedule below for more information on where materials are housed and use the links for these facilities to learn about researcher and information access policies at those locations.

## Disposition Schedule and Location

The following table is a listing of the disposition schedule and location of the materials incorporated by reference:

- The dates and timeframes are approximate
- Addresses for each location are listed below the table

Category of Records	Location of Records - Retention Period		
	OFR	WNRC	NARA
Aircraft Service Bulletins for FAA Airworthiness Directives (14 CFR 39)	From Year 0-3	From Year 3-10	From Year 10 Forward (permanent storage)
State Implementation Plans and Amendments submitted to EPA (40 CFR part 52)	From Year 0-5	From Year 5-15	From Year 15 Forward (permanent storage)

All other materials incorporated by reference in the CFR	From Year 0-5	From Year 5-15	From Year 15 Forward (permanent storage)
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## Addresses

These are the addresses of the locations listed in the table above. Please call 202-741-6030 for help in determining where the materials are housed:

### **Office of the Federal Register (OFR)**

7 G Street, NW, Suite A-734  
Washington, DC 20401

### **Washington National Records Center (WNRC)**

4205 Suitland Road  
Suitland, MD 20746-8001

### **National Archives at College Park (NARA)**

8601 Adelphi Road  
College Park, MD 20740-6001

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If you are interested in examining material that has been incorporated by reference, submit a written request to the Office of the Federal Register.

For more information about Incorporation by Reference, please contact our Legal Affairs and Policy Staff:

 **E-mail** [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov)

 **U.S. Mail** addressed to:

Office of the Federal Register (FL)  
The National Archives and Records Administration  
8601 Adelphi Road  
College Park, MD 20740-6001

**The U.S. National Archives and Records Administration**  
1-86-NARA-NARA or 1-866-272-6272