

A3500, Revision 1, dated April 26, 2001. Repeat the inspection thereafter at intervals not to exceed 15,000 flight hours.

(1) Within 30,000 flight hours after the most recent inspection.

(2) At the later of the compliance times specified in paragraphs (h)(2)(i) and (h)(2)(ii) of this AD.

(i) Within 15,000 flight hours after the most recent inspection.

(ii) Within 3 years after the effective date of this AD.

#### (i) Credit for Previous Actions

This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed before October 1, 2001 (the effective date of AD 2001-17-20, Amendment 39-12411 (66 FR 44954, August 27, 2001)), using Boeing Alert Service Bulletin A3500, dated July 27, 2000, which is not incorporated by reference in this AD.

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

(1) The Manager, Seattle Certification Office (ACO), 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 ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: [9-ANM-Seattle-ACO-AMOC-Requests@faa.gov](mailto: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 local flight standards district office/certificate holding district office.

(3) AMOCs approved previously in accordance with AD 2001-17-20, Amendment 39-12411 (66 FR 44954, August 27, 2001), are approved as AMOCs for the corresponding provisions of this AD, except for AMOCs that change the inspection frequency.

#### (k) Related Information

(1) For more information about this AD, contact Rebel Nichols, Aerospace Engineer, Propulsion Branch, ANM-140S, Seattle Aircraft Certification Office (ACO), FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6509; fax: 425-917-6590; email: [Rebel.Nichols@faa.gov](mailto:Rebel.Nichols@faa.gov).

(2) For Boeing service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P. O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>.

#### (l) 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.

(3) The following service information was approved for IBR on October 1, 2001 (66 FR 44954, August 27, 2001).

(i) Boeing Service Bulletin A3500, Revision 1, dated April 26, 2001.

(ii) Reserved.

(4) For Boeing service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P. O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>.

(5) You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(6) 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, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington on February 6, 2013.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013-03267 Filed 2-13-13; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2012-1055; Directorate Identifier 2012-NE-33-AD; Amendment 39-17351; AD 2013-03-17]

RIN 2120-AA64

#### Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all Rolls-Royce Deutschland Ltd & Co KG (RRD) BR700-710A1-10 and BR700-710A2-20 turbofan engines, and certain BR700-710C4-11 model engines. This AD was prompted by RRD performing an evaluation that determined that certain high-pressure turbine (HPT) stage 1 and stage 2 discs from a specific supplier may contain steel inclusions that may cause the discs to fail before they reach their current life limits. This

AD requires reducing the life limits for certain HPT stage 1 and stage 2 discs. We are issuing this AD to prevent failure of the HPT stage 1 and stage 2 discs, which could result in uncontained failure of the engine and damage to the airplane.

**DATES:** This AD becomes effective March 21, 2013.

**ADDRESSES:** The Docket Operations office is located at Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

**FOR FURTHER INFORMATION CONTACT:** Robert Morlath, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781-238-7154; fax: 781-238-7199; email: [robert.c.morlath@faa.gov](mailto:robert.c.morlath@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on November 16, 2012 (77 FR 68714). That NPRM proposed to correct an unsafe condition for the specified products. The Mandatory Continuing Airworthiness Information (MCAI) states:

The results of a recent quality review of high pressure turbine (HPT) stage 1 and stage 2 discs identified potential for steel inclusions in some production scale parts. Further investigation concluded that all affected parts were manufactured by Udimet 720I and melted by a certain supplier. Subsequent evaluation concluded that the affected parts life limitation values declared in the engine Time Limits Manual cannot be supported for discs with potential steel inclusion.

This condition, if not corrected, could lead to an uncontained HPT disc failure, potentially resulting in damage to, and/or reduced control of the aeroplane.

The FAA has further determined that the risk to the engine is increased by installing an HPT stage 1 disc and an HPT stage 2 disc from the affected population, on the same engine. Therefore the FAA is prohibiting the installation of an HPT stage 1 and HPT stage 2 discs from the affected population in the same engine. You may obtain further information by examining the MCAI in the AD docket.

#### Comments

We gave the public the opportunity to participate in developing this AD. We

received no comments on the NPRM (77 FR 68714, November 16, 2012).

### Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed (77 FR 68714, November 16, 2012).

### Costs of Compliance

We estimate that this AD will affect about 10 engines installed on airplanes of U.S. registry. Prorated parts life will cost about \$210,000. Based on these figures, we estimate the cost of this AD on U.S. operators to be \$2,100,000. Our cost estimate is exclusive of possible warranty coverage.

### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. 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.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect 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.

*For the reasons discussed above, I certify this AD:*

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (phone: 800-647-5527) is provided in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new AD:

**2013-03-17 Rolls-Royce Deutschland Ltd & Co KG (Formerly Rolls-Royce Deutschland GmbH, formerly BMW Rolls-Royce GmbH):** Amendment 39-17351; Docket No. FAA-2012-1055; Directorate Identifier 2012-NE-33-AD.

#### (a) Effective Date

This airworthiness directive (AD) becomes effective March 21, 2013.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to the following Rolls-Royce Deutschland Ltd & Co KG (RRD) turbofan engines that have any of the high-pressure turbine (HPT) stage 1 or stage 2 discs with a serial number (S/N) listed in Table 1 to paragraph (c) of this AD, installed:

- (1) RRD BR700-710A1-10 and BR700-710A2-20 turbofan engines; and
- (2) BR700-710C4-11 model engines that have hardware configuration standard 710C4-11 or 710C4-11/10 engraved on the engine data plate.

TABLE 1 TO PARAGRAPH (C)—AFFECTED HPT STAGE 1 AND STAGE 2 DISCS

S/Ns of HPT Stage 1 Discs, Part Number (P/N) BRR23952	S/Ns of HPT Stage 2 Discs, P/N BRR22008
LDRQA05719 .....	LDRQA05791
LDRQA05720 .....	LDRQA05944
LDRQA05721 .....	LDRQA05945
LDRQA05722	
LDRQA05723	
LDRQA05724	
LDRQA05726	
LDRQA05727	
LDRQA05841	
LDRQA05842	

#### (d) Reason

This AD was prompted by RRD performing an evaluation that determined that certain HPT stage 1 and stage 2 discs from a specific supplier may contain steel inclusions that may cause the discs to fail before they reach their current life limits. We are issuing this AD to prevent failure of the HPT stage 1 and stage 2 discs, which could result in uncontained failure of the engine and damage to the airplane.

#### (e) Actions and Compliance

Unless already done, remove from service the HPT stage 1 and stage 2 discs listed by S/N in Table 1 to paragraph (c) of this AD, at the following:

(1) For BR700-710A1-10, BR700-710A2-20, and BR700-710C4-11 engine models (without RRD Mod 72-101466), remove the HPT stage 1 and stage 2 discs from service before accumulating 3,000 cycles-since-new (CSN).

(2) For the BR700-710C4-11 engine model (with RRD Mod 72-101466), remove the HPT stage 1 and stage 2 discs from service before accumulating 2,300 CSN.

#### (f) Installation Prohibition

After the effective date of this AD, do not install an HPT stage 1 and an HPT stage 2 disc, identified by S/N in Table 1 to paragraph (c) of this AD, in the same engine.

#### (g) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request.

#### (h) Related Information

(1) For more information about this AD, contact Robert Morlath, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781-238-7154; fax: 781-238-7199; email: [robert.c.morlath@faa.gov](mailto:robert.c.morlath@faa.gov).

(2) Refer to European Aviation Safety Agency Airworthiness Directive 2012-0166, dated August 30, 2012, and Rolls-Royce Deutschland Ltd & Co KG Alert Service Bulletin SB-BR700-72-A900508, dated July 26, 2012, for related information. Contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11, Dahlewitz, 15827

Blankenfelde-Mahlow, Germany; phone: 49 0 33-7086-1883; fax: 49 0 33-7086-3276, for a copy of this service information.

(3) You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

**(i) Material Incorporated by Reference**

None.

Issued in Burlington, Massachusetts, on February 5, 2013.

**Robert J. Ganley,**

*Acting Manager, Engine & Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 2013-03269 Filed 2-13-13; 8:45 am]

**BILLING CODE 4910-13-P**

## CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC-2012-0040]

### 16 CFR Part 1199

#### Children's Toys and Child Care Articles Containing Phthalates; Final Guidance on Inaccessible Component Parts

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Final rule.

**SUMMARY:** On August 14, 2008, Congress enacted the Consumer Product Safety Improvement Act of 2008 (CPSIA), Public Law 110-314. Section 108 of the CPSIA, as amended by Public Law 112-28, provides that the prohibition on specified products containing phthalates does not apply to any component part of children's toys or child care articles that is not accessible to a child through normal and reasonably foreseeable use and abuse of such product. In this document, the Consumer Product Safety Commission (CPSC or Commission) issues guidance on inaccessible component parts in children's toys or child care articles subject to section 108 of the CPSIA.

**DATES:** This rule is effective February 14, 2013.

**FOR FURTHER INFORMATION CONTACT:**

Kristina M. Hatlelid, Ph.D., M.P.H., Toxicologist, Office of Hazard Identification and Reduction, U.S. Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone (301) 987-2558; [khattlelid@cpsc.gov](mailto:khattlelid@cpsc.gov).

**SUPPLEMENTARY INFORMATION:**

#### A. Background

##### 1. Statutory Authority

On August 14, 2008, Congress enacted the CPSIA (Pub. L. 110-314), as

amended on August 12, 2011, by Public Law 112-28. Section 108 of the CPSIA, titled, "Prohibition on Sale of Certain Products Containing Specified Phthalates," permanently prohibits the sale of any "children's toy or child care article" containing more than 0.1 percent of three specified phthalates (di-(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), and benzyl butyl phthalate (BBP)). Section 108 of the CPSIA also prohibits, on an interim basis, "toys that can be placed in a child's mouth" or "child care article" containing more than 0.1 percent of three additional phthalates (diisononyl phthalate (DINP), diisodecyl phthalate (DIDP), and di-n-octyl phthalate (DnOP)). These prohibitions became effective on February 10, 2009. 15 U.S.C. 2057c(a), (b). The terms or phrases "children's toy," "toy that can be placed in a child's mouth," and "child care article," are defined in section 108(g) of the CPSIA. A "children's toy" is defined as a "consumer product designed or intended by the manufacturer for a child 12 years of age or younger for use by the child when the child plays." A toy can be placed in a child's mouth "if any part of the toy can actually be brought to the mouth and kept in the mouth by a child so that it can be sucked and chewed. If the children's product can only be licked, it is not regarded as able to be placed in the mouth. If a toy or part of a toy in one dimension is smaller than 5 centimeters, it can be placed in a child's mouth." The term "child care article" means "a consumer product designed or intended by the manufacturer to facilitate sleep or the feeding of children age 3 years and younger, or to help such children with sucking or teething." 15 U.S.C. 2057c(g).

Section 108(d) of the CPSIA provides that the prohibitions for the specified phthalates shall not apply to any component part of a children's toy or child care article that is not accessible to a child through normal and reasonably foreseeable use and abuse of such product, as determined by the Commission. That section further provides that a component part is not accessible, if such component part is not physically exposed, by reason of a sealed covering or casing, and does not become physically exposed through reasonably foreseeable use and abuse of the product. Reasonably foreseeable use and abuse includes swallowing, mouthing, breaking, or other children's activities, and the aging of the product. 15 U.S.C. 2057c(d)(1).

The CPSIA directs the Commission to: (A) Promulgate a rule providing guidance with respect to what product

components, or classes of components, will be considered to be inaccessible; or (B) adopt the same guidance with respect to inaccessibility that was adopted by the Commission with regard to accessibility of lead under section 101(b)(2)(B) (15 U.S.C. 1278a(b)(2)(B)), with additional consideration, as appropriate, of whether such component can be placed in a child's mouth. 15 U.S.C. 2057c(d)(3).

Section 108 of the CPSIA also directed the Commission, not earlier than 180 days after the date of enactment of this Act [enacted Aug. 14, 2008], to appoint a Chronic Hazard Advisory Panel (CHAP), pursuant to the procedures of section 28 of the CPSA (15 U.S.C. 2077), to study the effects on children's health of all phthalates and phthalate alternatives as used in children's toys and child care articles. 15 U.S.C. 2057c(b)(2). The Commission appointed the CHAP on April 14, 2010, to study the effects on children's health of all phthalates and phthalate alternatives, as used in children's toys and child care articles. The CHAP currently is working on a report, including recommendations, to be sent to the Commission.

Under section 108(d)(2) of the CPSIA, the Commission may revoke any or all exclusions granted based on the inaccessible component parts provision of section 108 of the CPSIA, at any time, and require that any or all component parts manufactured after such exclusion is revoked, comply with the prohibitions of phthalates, if the Commission finds, based on scientific evidence, that such compliance is necessary to protect the public health or safety. 15 U.S.C. 2057c(d)(2).

#### 2. Notice of Proposed Guidance

In the **Federal Register** notice of July 31, 2012 (77 FR 45297), the Commission published a proposed guidance on inaccessible phthalate-containing component parts. As stated in the preamble to the proposed guidance (77 FR 45299), the Commission proposed to adopt the lead guidance for determining inaccessible component parts for phthalates, with the exception of polyvinyl chloride (PVC or vinyl) or other plasticized materials covering mattresses and other sleep surfaces designed or intended by the manufacturer to facilitate sleep of children age 3 and younger. Both the lead guidance and proposed phthalate guidance specified that a children's product, toy, or child care article that is completely enclosed or covered by fabric is considered inaccessible to a child, unless the product or part of the product in one dimension is smaller