

Section 780o(b)(1).<sup>2</sup> As a result of SEC mandatory registration, each Bank is now required to make the periodic public disclosures made by similarly situated SEC registrants. Thus, the reason for the Finance Board regulation was superseded by Congressional action, and consequently the regulation is obsolete and warrants repeal and removal from the Code of Federal Regulations. Therefore, FHFA is hereby repealing part 998 in its entirety.

#### *D. Considerations of Differences Between the Banks and the Enterprises*

Section 1201 of HERA requires FHFA's Director, when promulgating regulations "of general applicability and future effect" relating to the Banks, to consider the differences between the Banks and the Enterprises as they may relate to the Banks' cooperative ownership structure, mission of providing liquidity to members, affordable housing and community development mission, capital structure, and joint and several liability. HERA section 1201, 122 Stat. 2782 (*amending* 12 U.S.C. 4513). This final rule does not impose any new obligations on the Banks, but instead simply removes an existing Finance Board regulation that, as a result of the passage of HERA and changed circumstances, is obsolete, unnecessary and no longer of any regulatory purpose. The repeal of part 998 of title 12 of the Code of Federal Regulations therefore would not have any "future effect" on the Banks. For these reasons, a section 1201 analysis is not required for this final rule.

## II. Notice and Public Participation

FHFA finds that good cause exists under 5 U.S.C. 553(b)(B) of the Administrative Procedure Act for adopting these rule changes as a final rule without public notice and comment because the subject regulations currently have no regulatory purpose or value and thus their removal would be insignificant in nature and impact and of no consequence to the industry and the public. The provisions of part 1730 were expressly intended to facilitate the Enterprises' securities registration and associated financial disclosures, which had already been agreed to by the Enterprises. These requirements have subsequently been independently mandated under HERA. Similarly, the provisions of part 998 relate solely to the Finance Board's requirement that the Banks register their equity securities under the 1934 Act and make attendant

financial disclosures. These requirements too were subsequently mandated by the provisions of HERA. Neither of these regulations includes provisions that are appropriate for FHFA to carry over and incorporate into its own regulations, and thus they should be repealed and removed from the Code of Federal Regulations. For these reasons, FHFA believes that public comments are unnecessary and would serve no purpose.

## III. Paperwork Reduction Act

The final rule does not contain any collections of information pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Therefore, FHFA has not submitted any information to the Office of Management and Budget for review.

## IV. Regulatory Flexibility Act

The final rule applies only to the Banks and Enterprises, which do not come within the meaning of small entities as defined in the Regulatory Flexibility Act (RFA). *See* 5 U.S.C. 601(6). Therefore in accordance with section 605(b) of the RFA, FHFA certifies that this final rule will not have a significant economic impact on a substantial number of small entities.

### List of Subjects

#### *12 CFR Part 998*

Credit, Federal home loan banks, Financial disclosure, Government-sponsored enterprises, Records, Reporting and recordkeeping, Securities disclosure.

#### *12 CFR Part 1730*

Financial disclosure, Government-sponsored enterprises, Records, Reporting and recordkeeping.

Accordingly, for reasons stated in the Supplementary Information and under the authority of 12 U.S.C. 4511, 4512, 4513, and 4526, FHFA amends subchapter M of chapter IX and subchapter C of chapter XVII of title 12 of the Code of Federal Regulations as follows:

## CHAPTER IX—FEDERAL HOUSING FINANCE BOARD

### SUBCHAPTER M—FEDERAL HOME LOAN BANK DISCLOSURES

#### PART 998—[REMOVED]

- 1. Remove part 998.

## CHAPTER XVII—OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### SUBCHAPTER C—SAFETY AND SOUNDNESS

#### PART 1730—[REMOVED]

- 2. Remove part 1730.

Dated: March 5, 2013.

**Edward J. DeMarco,**

*Acting Director, Federal Housing Finance Agency.*

[FR Doc. 2013-05765 Filed 3-12-13; 8:45 am]

BILLING CODE 8070-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2012-0721; Directorate Identifier 2012-NM-076-AD; Amendment 39-17356; AD 2013-03-22]

RIN 2120-AA64

### Airworthiness Directives; Bombardier, Inc. Airplanes

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) airplanes. This AD was prompted by reports that airplanes with a Class C cargo (baggage) compartment have liners that do not meet flammability requirements. This AD requires replacing the existing cargo compartment liners with liners that comply. We are issuing this AD to prevent inadequate fire protection in the cargo compartment and consequent uncontrolled fire.

**DATES:** This AD becomes effective April 17, 2013.

The Director of the **Federal Register** approved the incorporation by reference of certain publications listed in this AD as of April 17, 2013.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems

<sup>2</sup> This provision applies only to the Banks and effectively precludes the termination of a Bank's registration.

Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone 516-228-7318; fax 516-794-5531.

#### 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 July 19, 2012 (77 FR 42457). That NPRM proposed to correct an unsafe condition for the specified products. The Mandatory Continuing Airworthiness Information (MCAI) states:

It was found that the cargo compartment liners installed on CL-600-2B19 configured with Class C cargo compartment do not all meet the flammability requirements. Non-compliant cargo compartment liners may not provide adequate fire protection and could lead to an uncontrolled baggage bay fire.

This [Canadian] AD mandates the replacement of existing cargo compartment liners with compliant cargo compartment liners.

Aeroplanes modified with [Transport Canada Civil Aviation] Supplemental Type Certificate (STC) Number SA01-19 Issue No. 1 [corresponding FAA STC ST01292NY, amended July 7, 2003 <http://www.airweb.faa.gov/RegulatoryandGuidanceLibrary/rqstc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny>] Cargo Liner Replacement Panels are also affected by this [Canadian] AD.

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 considered the comments received.

##### Request To Change Applicability

Air Wisconsin (AWI) requested that we change the applicability to either specify airplane serial numbers (S/Ns) 7003 through 7067 inclusive, and S/Ns 7069 through 7857 inclusive, including airplanes modified by STC ST01292NY, amended July 7, 2003 (<http://www.airweb.faa.gov/RegulatoryandGuidanceLibrary/rqstc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny>); or specify the airplanes listed in Bombardier Service Bulletin 601R-25-187, Revision A, dated September 1, 2011; Bombardier Service Bulletin 601R-25-198, dated September 1, 2011; and Bombardier Service Bulletin 601R-25-199, dated September 1, 2011. AWI stated that the NPRM (77 FR 42457, July 19, 2012)

specifies the applicability as airplane S/Ns 7003 and subsequent, yet each of these Bombardier service bulletins describes the effectivity as airplane S/Ns 7003 thru 7067 inclusive and S/Ns 7069 thru 7857 inclusive, and states that the service bulletin was "validated" on airplane S/N 7362.

We do not agree with the commenter's request to change the applicability. The intent of this AD is to ensure that any Model CL-600-2B19 airplane configured with a Class C cargo compartment be equipped with compliant cargo compartment liners. The Bombardier service information referenced in paragraphs (g)(1) through (g)(3) of this AD has listed airplanes with known Class C cargo compartments. In order to ensure that any subsequently converted airplanes will be equally equipped with compliant Class C cargo compartment liners, this AD must apply to any Model CL-600-2B19 airplane configured with a Class C cargo compartment. We have not changed the AD in this regard.

##### Requests To Extend Compliance Time

AWI and Pinnacle Airlines (FLG) requested that we extend the compliance time from 28 months to 36 months after the effective date of the AD. Both commenters stated that the service information recommends a compliance time of 36 months. Additionally, both commenters stated that the manufacturer has yet to supply the necessary parts kits. FLG noted that, without the parts kits, it could be put in a position of parking its airplanes. AWI stated that, without kits available, airplanes that are currently having their heavy check visits completed are without the benefit of the cargo compartment liner modification being accomplished.

We do not agree with the commenters' requests to extend the compliance time. In developing an appropriate compliance time for this action, we considered the safety implications, parts availability, and normal maintenance schedules for the timely accomplishment of the modification. Bombardier has confirmed with the FAA and Transport Canada Civil Aviation (TCCA) that parts are available to the operators, and the availability will be such that the operators will be able to incorporate the modification within the compliance time. However, under the provisions of paragraph (k) of this AD, we will consider requests for approval of an extension of the compliance time if sufficient data are submitted to substantiate that the new compliance time would provide an

acceptable level of safety. We have not changed the AD in this regard.

##### Request To Change Date of Parts Installation Prohibition or Remove Prohibition

AWI requested that we either remove the paragraph or change the date of the prohibition of the installation of the old style liners (paragraph (i) of the NPRM (77 FR 42457, July 19, 2012)) from the effective date of the AD to 28 months after the effective date of the AD. AWI stated that in order to maintain a pre-modification airplane until the modification required by paragraph (g) of the NPRM is performed, the operator needs to have the flexibility to install the old style liners when replacing any that might become damaged.

We agree to change the date of the prohibition of the installation of the old style liners for certain airplanes. We have changed paragraph (j)(1) of this AD (referred to as paragraph (i) of the NPRM (77 FR 42457, July 19, 2012)) to state that the installation of the old style liners for airplane S/Ns 7003 through 7857 inclusive is prohibited after completion of the cargo compartment liner modification required by paragraph (g) of this AD, which is required within 28 months after the effective date of this AD.

We have also added new paragraph (j)(2) to this AD, which states that the installation of the old style liners for airplane S/Ns 7858 and subsequent is prohibited as of the effective date of this AD. Airplane S/Ns 7858 and subsequent are/were not delivered with a class C cargo compartment. Paragraph (j)(2) of this AD prevents these airplanes from having the identified unsafe cargo liners installed if they are converted to class C cargo compartments.

##### Request To Use Certain STC Parts

AWI requested that we change the NPRM (77 FR 42457, July 19, 2012) to allow the installation of inserts, which are necessary for the installation of the rear wall liners in the floor panels specified in STC ST00560NY, amended June 29, 2001 (<http://rgl.faa.gov/RegulatoryandGuidanceLibrary/rqstc.nsf/0/78C85CD7FA9FAFA585256C2006A74D0?OpenDocument&Highlight=st00560ny>). AWI stated that Bombardier Service Bulletin 601R-25-187, Revision A, dated September 1, 2011, does not mention these aftermarket panels and recognizes only the original equipment manufacturer floor panels.

We agree with the commenter's request. We have added new paragraph (h) to this AD, which states that Comtek Advanced Structures floor panels

approved under STC ST00560NY, amended June 29, 2001 ([http://rgl.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rgstc.nsf/0/78C85CD7FA9FAFA585256CC2006A74D0?OpenDocument&Highlight=st00560ny](http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/78C85CD7FA9FAFA585256CC2006A74D0?OpenDocument&Highlight=st00560ny)), are considered equivalent to the original equipment floor panels described in Bombardier Service Bulletin 601R-25-187, Revision A, dated September 1, 2011, and may be used in lieu of the floor panels described in Bombardier Service Bulletin 601R-25-187, Revision A, dated September 1, 2011. We have re-identified subsequent paragraphs accordingly.

### Request To Approve Past or Future Repairs

AWI requested that we make accommodation in the NPRM (77 FR 42457, July 19, 2012) for previously approved or future approved repairs/repair schemes without the need for alternative methods of compliance (AMOC) to do those repairs. AWI stated that the cargo compartment liners take quite a bit of abuse during loading/unloading operations and are frequently in need of repair to maintain serviceability. AWI pointed out that there are existing approved repairs for the liners in the airplane maintenance manual and/or service repair manual.

We disagree with the commenter's request. This AD requires the installation of compliant cargo compartment liners. After accomplishing the actions required by this AD, maintenance and/or preventive maintenance under 14 CFR part 45 is permitted provided the maintenance does not result in changing the AD-mandated configuration (reference 14 CFR 39.7). We have not changed the AD in this regard.

### Conclusion

We reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD with the changes described previously—and minor editorial changes. We have determined that these changes:

- Are consistent with the intent that was proposed in the NPRM (77 FR 42457, July 19, 2012) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (77 FR 42457, July 19, 2012).

### Costs of Compliance

We estimate that this AD will affect 574 products of U.S. registry. We also estimate that it will take about 87 work-

hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$43,559 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$29,247,596, or \$50,954 per product.

### 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 that 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);
3. Will not affect intrastate aviation in Alaska; and
4. 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 the NPRM (77 FR 42457, July 19, 2012), the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is 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:

**2013-03-22 Bombardier, Inc.:** Amendment 39-17356. Docket No. FAA-2012-0721; Directorate Identifier 2012-NM-076-AD.

#### (a) Effective Date

This airworthiness directive (AD) becomes effective April 17, 2013.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) airplanes, certificated in any category, serial numbers (S/Ns) 7003 and subsequent, configured with a Class C cargo compartment, including airplanes modified by Supplemental Type Certificate (STC) ST01292NY, amended July 7, 2003 ([http://www.airweb.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rgstc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny](http://www.airweb.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny)).

#### (d) Subject

Air Transport Association (ATA) of America Code 25, Equipment/furnishings.

#### (e) Reason

This AD was prompted by reports that airplanes with a Class C cargo (baggage) compartment have liners that do not meet flammability requirements. We are issuing this AD to prevent inadequate fire protection

in the cargo compartment and consequent uncontrolled fire.

#### (f) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### (g) Actions

Within 28 months after the effective date of this AD, replace the cargo compartment liners, in accordance with the Accomplishment Instructions of the applicable service bulletin specified in paragraphs (g)(1) through (g)(3) of this AD, except as provided by paragraph (h) of this AD. For airplanes that do not have a configuration specified in paragraphs (g)(1) through (g)(3) of this AD: Prior to accomplishing the replacement, convert the cargo compartment liner to one of the configurations specified in paragraphs (g)(1) through (g)(3) of this AD, in accordance with a method approved by the Manager, New York Aircraft Certification Office (ACO), ANE-170, FAA; or Transport Canada Civil Aviation (TCCA) (or its delegated agent). To meet the requirements of this AD, the applicable Bombardier service bulletin or COMTEK service bulletin must be followed in its entirety, except as provided by paragraph (h) of this AD, with no mixing of Bombardier-supplied or COMTEK-supplied liners.

(1) For airplanes with North American cargo compartment configuration: Bombardier Service Bulletin 601R-25-187, Revision A, dated September 1, 2011; or COMTEK Service Bulletin COMSB-25-52-001, Revision A, dated December 29, 2011.

**Note (1) to paragraph (g)(1) of this AD:** COMTEK Service Bulletin COMSB-25-52-001, Revision A, dated December 29, 2011, installs STC ST01292NY amended July 7, 2003 ([http://www.airweb.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rgstc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny](http://www.airweb.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny)), (which corresponds to TCCA STC SA01-19, Issue 2, dated December 21, 2011 (<http://www.regulations.gov/contentStreamer?objectId=0900006481216f85&disposition=attachment&contentType=pdf>)) flammability-compliant cargo liner replacement panels.

(2) For airplanes with European cargo compartment configuration: Bombardier Service Bulletin 601R-25-198, dated September 1, 2011.

(3) For airplanes with Universal cargo compartment configuration: Bombardier Service Bulletin 601R-25-199, dated September 1, 2011.

#### (h) Alternative Floor Panel

Comtek Advanced Structures floor panels approved under STC ST00560NY, amended June 29, 2001 ([http://rgl.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rgstc.nsf/0/78C85CD7FA9FAFA585256CC2006A74D0?OpenDocument&Highlight=st00560ny](http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/78C85CD7FA9FAFA585256CC2006A74D0?OpenDocument&Highlight=st00560ny)), are considered equivalent to the original equipment floor panels described in Bombardier Service Bulletin 601R-25-187, Revision A, dated September 1, 2011, and

may be used in lieu of the floor panels described in Bombardier Service Bulletin 601R-25-187, Revision A, dated September 1, 2011.

#### (i) Credit for Previous Actions

This paragraph provides credit for certain actions specified in paragraph (g)(1) of this AD, if those actions were performed before the effective date of this AD using Bombardier Service Bulletin 601R-25-187, dated July 21, 2011, which is not incorporated by reference in this AD.

#### (j) Parts Installation Prohibition

(1) For airplane S/Ns 7003 through 7857 inclusive: After completing the actions required by paragraph (g) of this AD, no person may install a cargo compartment liner, identified as "Pre-SB Part Number" in paragraph 1.M. of the applicable Bombardier service bulletins identified in paragraphs (g)(1) through (g)(3) of this AD; "Pre-SB P/N" in paragraph 3.D. of COMTEK Service Bulletin COMSB-25-52-001, Revision A, dated December 29, 2011; or FAA STC ST01292NY, amended July 7, 2003 ([http://www.airweb.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rgstc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny](http://www.airweb.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny)); on any airplane.

(2) For airplane S/Ns 7858 and subsequent: As of the effective date of this AD, no person may install a cargo compartment liner, identified as "Pre-SB Part Number" in paragraph 1.M. of the Bombardier service bulletins identified in paragraphs (g)(1) through (g)(3) of this AD; "Pre-SB P/N" in paragraph 3.D. of COMTEK Service Bulletin COMSB-25-52-001, Revision A, dated December 29, 2011; or FAA STC ST01292NY, amended July 7, 2003 ([http://www.airweb.faa.gov/Regulatory\\_and\\_Guidance\\_Library/rgstc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny](http://www.airweb.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny)); on any airplane.

#### (k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) **Alternative Methods of Compliance (AMOCs):** The Manager, New York Aircraft Certification Office (ACO), ANE-170, 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 ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone 516-228-7300; fax 516-794-5531. 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. The AMOC approval letter must specifically reference this AD.

(2) **Airworthy Product:** For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective

actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

#### (l) Related Information

(1) Refer to MCAI Canadian Airworthiness Directive CF-2012-11, dated March 23, 2012, and the service information identified in paragraphs (l)(1)(i) through (l)(1)(iv) of this AD, for related information.

(i) Bombardier Service Bulletin 601R-25-187, Revision A, dated September 1, 2011.

(ii) Bombardier Service Bulletin 601R-25-198, dated September 1, 2011.

(iii) Bombardier Service Bulletin 601R-25-199, dated September 1, 2011.

(iv) COMTEK Service Bulletin COMSB-25-52-001, Revision A, dated December 29, 2011.

(2) For Bombardier service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. 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.

#### (m) 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) Bombardier Service Bulletin 601R-25-187, Revision A, dated September 1, 2011.

(ii) Bombardier Service Bulletin 601R-25-198, dated September 1, 2011.

(iii) Bombardier Service Bulletin 601R-25-199, dated September 1, 2011.

(iv) COMTEK Service Bulletin COMSB-25-52-001, Revision A, dated December 29, 2011.

(3) For Bombardier service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>.

(4) For COMTEK service information identified in this AD, contact Comtek Advanced Structures, 1360 Artisans Court, Burlington, Ontario, Canada, L7L 5Y2; telephone 905-331-8121; fax 905-331-8125; Internet <http://www.comtekadvanced.com>.

(5) You may review copies of the 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](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

Issued in Renton, Washington, on February 7, 2013.

Ali Bahrami,

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

[FR Doc. 2013-04634 Filed 3-12-13; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2012-1224; Directorate Identifier 2012-NM-112-AD; Amendment 39-17372; AD 2013-04-14]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Airplanes

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all Airbus Model A300 B4-600, B4-600R, and F4-600R series airplanes, and Model A300 C4-605R Variant F airplanes (collectively called Model A300-600 series airplanes); and Model A310 series airplanes. This AD was prompted by a report of an uncommanded slide back of the co-pilot seat to the end stop position. This AD requires a one-time inspection for a part number, a tensile test of the affected seats, and corrective actions if necessary. We are issuing this AD to detect and prevent unwanted movement of a pilot or co-pilot seat in the horizontal direction, which could lead to inadvertent input on the flight control commands and possibly result in loss of controllability of the airplane.

**DATES:** This AD becomes effective April 17, 2013.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of April 17, 2013.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA,

1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-2125; fax (425) 227-1149.

#### 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 December 10, 2012 (77 FR 73343). That NPRM proposed to correct an unsafe condition for the specified products. The Mandatory Continuing Airworthiness Information (MCAI) states:

During a steep climb manoeuvre that was flown with a high pitch (25°) for training of ground threat avoidance, an Airbus A310 aeroplane experienced an uncommanded slide back of the co-pilot seat to the end stop position.

Investigation revealed that on the affected seat, the disc key inside the clutch was broken. SOGERMA Service Bulletin (SB) No 2510112-25-813, which addresses the previous end stop switch issue and which is covered by [European Aviation Safety Agency] EASA AD 2010-0070 [which corresponds to FAA AD 2011-06-09, Amendment 39-16634 (76 FR 15805, March 22, 2011)] had been accomplished on this seat, but due to seizure, the key failure was not detected at time. This broken disc key caused a jamming between the gear and the shaft of the clutch. Despite this failure, the torque transmission between the gear and the shaft was sufficient for normal operation, but not to keep the seat in locked position during climbing, due to the high longitudinal loads generated by the high aeroplane incidence.

This condition, if not detected and corrected, could cause the pilot to lose contact with the controls, leading to an inadvertent input on the flight control commands during take-off or climb, possibly resulting in loss of control of the aeroplane.

For the reasons described above, this [EASA] AD requires a one-time inspection [part number (P/N) inspection of the seats and tensile test] of the affected seats and, depending on findings, accomplishment of applicable corrective action(s) [replacing the seat or modifying the seat by replacing actuator P/N RT19H4FX with a new actuator].

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 73343, December 10, 2012), or on the determination of the cost to the public.

##### Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial

changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (77 FR 73343, December 10, 2012) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (77 FR 73343, December 10, 2012).

##### Costs of Compliance

We estimate that this AD will affect 161 products of U.S. registry. We also estimate that it will take about 1 work-hour per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$4,523 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$741,888, or \$4,608 per product.

##### 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 that this AD:*