

any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards 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.

(3) *Reporting Requirements*: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

Related Information

(h) Refer to MCAI EASA Airworthiness Directive 2009-0076, dated April 6, 2009; Airbus Mandatory Service Bulletin A330-92-3080, dated November 12, 2008; and Airbus Mandatory Service Bulletin A340-92-4080, dated November 12, 2008; for related information.

Issued in Renton, Washington, on November 19, 2009.

Stephen P. Boyd,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-1107; Directorate Identifier 2009-NM-138-AD]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A330-200 Series Airplanes and Model A340-200 and -300 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

* * * * *

[European Aviation Safety Agency (EASA) AD 2006-0191 [which corresponds to FAA AD 2006-21-08] required the installation of new heat shield panels with drainage over the air conditioning packs in order to avoid an undetected fire in this zone following a fuel leak from the centre tank.

These new heat shield panels have holes. In case of fuel leaking through these holes from the centre tank, any fuel vapour may develop into a potential source of ignition, possibly resulting in a fuel tank explosion and consequent loss of the aeroplane. * * *

* * * * *

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

DATES: We must receive comments on this proposed AD by January 15, 2010.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal*: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax*: (202) 493-2251.

- *Mail*: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- *Hand Delivery*: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-40, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Airbus SAS—Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80, e-mail airworthiness.A330-A340@airbus.com; Internet <http://www.airbus.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221 or 425-227-1152.

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 proposed AD, 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.

FOR FURTHER INFORMATION CONTACT: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-1138; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2009-1107; Directorate Identifier 2009-NM-138-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We have lengthened the 30-day comment period for proposed ADs that address MCAI originated by aviation authorities of other countries to provide adequate time for interested parties to submit comments. The comment period for these proposed ADs is now typically 45 days, which is consistent with the comment period for domestic transport ADs.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2009-0150, dated July 9, 2009 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

* * * EASA AD 2006-0191 [which corresponds to FAA AD 2006-21-08] required the installation of new heat shield panels with drainage over the air conditioning packs in order to avoid an undetected fire in this zone following a fuel leak from the centre tank.

These new heat shield panels have holes. In case of fuel leaking through these holes from the centre tank, any fuel vapour may develop into a potential source of ignition, possibly resulting in a fuel tank explosion and consequent loss of the aeroplane. Airbus has developed a repair solution for these holes to prevent a fuel vapour ignition source in this area and improve the protection of the hot air equipment.

[T]his AD requires the installation of plugs on the heat shield panels of the Left Hand (LH) and Right Hand (RH) Air Conditioning packs.

You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Airbus has issued Mandatory Service Bulletin A330-21-3148, including Appendix 1, dated January 30, 2009; and Mandatory Service Bulletin A340-21-4147, including Appendix 1, dated January 30, 2009. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a **Note** within the proposed AD.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 12 products of U.S. registry. We also estimate that it would take about 3 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$2,880, or \$240 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 proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 proposed regulation:

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 proposed AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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:

Airbus: Docket No. FAA-2009-1107; Directorate Identifier 2009-NM-138-AD.

Comments Due Date

(a) We must receive comments by January 15, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to the airplanes identified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category; on which Airbus Modification 49520 has been embodied in production, or on which Airbus Service Bulletin A330-21-3096, Revision 01, or Airbus Service Bulletin A340-21-4107, Revision 01, has been embodied in service; except those airplanes on which Airbus Modification 58551 has been embodied in production.

(1) Airbus Model A330-201, -202, -203, -223, and -243 airplanes, all manufacturer serial numbers.

(2) Airbus Model A340-211, -212, and -213 airplanes; and Model A340-311, -312, and -313 airplanes; all manufacturer serial numbers.

Subject

(d) Air Transport Association (ATA) of America Code 21: Air conditioning.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states: EASA [European Aviation Safety Agency] AD 2006-0191 [which corresponds to FAA AD 2006-21-08] required the installation of new heat shield panels with drainage over the air conditioning packs in order to avoid an undetected fire in this zone following a fuel leak from the centre tank.

These new heat shield panels have holes. In case of fuel leaking through these holes from the centre tank, any fuel vapour may develop into a potential source of ignition, possibly resulting in a fuel tank explosion and consequent loss of the aeroplane. Airbus has developed a repair solution for these holes to prevent a fuel vapour ignition source in this area and improve the protection of the hot air equipment.

[T]his AD requires the installation of plugs on the heat shield panels of the Left Hand (LH) and Right Hand (RH) Air Conditioning packs.

Actions and Compliance

(f) Unless already done, within 24 months after the effective date of this AD: Plug the six receptacle holes on the heat shield of the left-hand air conditioning pack and plug the four receptacle holes on the heat shield of the right-hand air conditioning pack, in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A330-21-3148, dated January 30, 2009 (for Model A330-201, -202, -203, -223, and -243 series airplanes); or Airbus

Mandatory Service Bulletin A340-21-4147, dated January 30, 2009 (for Model A340-211, -212, and -213 series airplanes; and Model A340-311, -312, and -313 series airplanes); as applicable.

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to *Attn:* Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1138; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards 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.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

Related Information

(h) Refer to MCAI EASA Airworthiness Directive 2009-0150, dated July 9, 2009; Airbus Mandatory Service Bulletin A330-21-3148, dated January 30, 2009; and Airbus Mandatory Service Bulletin A340-21-4147, dated January 30, 2009; for related information.

Issued in Renton, Washington, on November 19, 2009.

Stephen P. Boyd,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF HOMELAND SECURITY

Bureau of Customs and Border Protection

19 CFR Part 101

[Docket No. USCBP-2009-0035]

RIN 1651-AA79

Further Consolidation of CBP Drawback Centers

AGENCY: Customs and Border Protection, DHS.

ACTION: Notice of proposed rulemaking; solicitation of comments.

SUMMARY: This document proposes to amend the U.S. Customs and Border Protection (CBP) regulations to reflect a planned closing of the CBP drawback center at the Port of Los Angeles-Long Beach ("Los Angeles"), California. CBP believes that the further consolidation in the number of drawback processing centers from five to four is necessary because of decreases in claim filings and drawback claim values at the Los Angeles center. This proposed closure of this drawback center is intended to conserve resources, increase efficiency, exercise fiscal responsibility, and promote greater uniformity in the processing of drawback claims.

DATES: Written comments must be received on or before December 31, 2009.

ADDRESSES: You may submit comments, identified by *docket number*, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments via Docket No. USCBP 2009-0035.

- *Mail:* Trade and Commercial Regulations Branch, Regulations and Rulings, U.S. Customs and Border Protection, 799 9th Street, NW. (Mint Annex), Washington, DC 20229-1179.

Instructions: All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Public Participation" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. Submitted comments may also be inspected during

regular business days between the hours of 9 a.m. and 4:30 p.m. at the Trade and Commercial Regulations Branch, Regulations and Rulings, Office of International Trade, U.S. Customs and Border Protection, 799 9th Street, NW., 5th Floor, Washington, DC. Arrangements to inspect submitted comments should be made in advance by calling Joseph Clark at (202) 325-0118.

FOR FURTHER INFORMATION CONTACT: Christine Kegley, Import Operations Branch, Office of Field Operations, Customs and Border Protection, (202) 344-2319.

SUPPLEMENTARY INFORMATION:

Public Participation

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of this proposed rule. U.S. Customs and Border Protection (CBP) also invites comments that relate to the economic, environmental, or federalism effects that might result from this proposed rule. Comments that will provide the most assistance to CBP in developing these procedures will reference a specific portion of the proposed rule, explain the reason for any recommended change, and include data, information, or authority that supports such recommended change. See **ADDRESSES** above for information on how to submit comments.

Background

To conserve resources, increase efficiency, exercise fiscal responsibility, and promote greater uniformity in the processing of drawback claims, U.S. Customs Service (now CBP) published on January 24, 2003, Treasury Decision (T.D.) 03-05 in the **Federal Register** (68 FR 3381), which consolidated the drawback centers from eight to the current five by closing the centers located in Miami, Florida; New Orleans, Louisiana; and Boston, Massachusetts and redirecting that all claims be filed in the remaining five centers located in Chicago, Illinois; Houston, Texas; New York, New York; Los Angeles-Long Beach ("Los Angeles"), California; and San Francisco, California. Additionally, T.D. 03-05 noted that the agency would re-evaluate further consolidations as needed. In 2008, CBP further evaluated the number of drawback claims processed at its remaining drawback centers. Based on this evaluation, CBP proposes to further consolidate the drawback centers by closing the Los Angeles, California Drawback Center to achieve its goal of four drawback centers