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(3) You may review copies of the 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.

(4) You may also review copies of the 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/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on November 10, 2011.

Kalene C. Yanamura,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2011-30232 Filed 11-30-11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2011-0914; Directorate Identifier 2010-NM-166-AD; Amendment 39-16876; AD 2011-24-12]

RIN 2120-AA64

Airworthiness Directives; The Boeing Company Model 737-200, -200C, -300, -400, and -500 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding an existing airworthiness directive (AD) for certain Model 737-300, -400, and -500 series airplanes. That AD currently requires repetitive external non-destructive inspections to detect cracks in the fuselage skin along the chem-mill step at stringers S-1 and S-2 right, between station (STA) 827 and STA 847, and repair if necessary. This new AD adds inspections for cracking in additional fuselage crown skin locations, and repair if necessary. This new AD also reduces the inspection thresholds for certain airplanes, extends

certain repetitive inspection intervals, and adds airplanes to the applicability of the existing AD. This AD was prompted by reports of additional crack findings of the fuselage crown skin at the chem-milled steps. We are issuing this AD to detect and correct fatigue cracking of the fuselage skin panels at the chem-milled steps, which could result in sudden fracture and failure of the fuselage skin panels, and consequent rapid decompression of the airplane.

DATES: This AD is effective January 5, 2012.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of January 5, 2012.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of February 16, 2010 (75 FR 1527, January 12, 2010).

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

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility 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 address for the Docket Office (phone: (800) 647-5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Wayne Lockett, Aerospace Engineer,

Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: (425) 917-6447; fax: (425) 917-6590; Email: wayne.lockett@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2010-01-09, Amendment 39-16167 (75 FR 1527, January 12, 2010). That AD applies to the specified products. The NPRM published in the **Federal Register** on September 1, 2011 (76 FR 54399). That NPRM proposed to continue to require repetitive external non-destructive inspections to detect cracks in the fuselage skin along the chem-mill step at stringers S-1 and S-2 right, between station (STA) 827 and STA 847, and repair if necessary. That NPRM also proposed to add inspections for cracking in additional fuselage crown skin locations, and repair if necessary. That NPRM also proposed to reduce the inspection thresholds for certain airplanes, extend certain repetitive inspection intervals, and add airplanes to the applicability of the existing AD.

Comments

We gave the public the opportunity to participate in developing this AD. We have considered the comments received. Boeing and the National Transportation Safety Board support the NPRM.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting the AD as proposed.

Interim Action

We consider this proposed AD interim action. If final action is later identified, we might consider further rulemaking then.

Costs of Compliance

We estimate that this AD affects 654 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Work hours	Average labor rate per hour	Cost per product	Number of U.S.-registered airplanes	Fleet cost
Inspection in AD 2010-01-09 (75 FR 1527, January 12, 2010).	2	\$85	\$170 per inspection cycle.	135	\$22,950 per inspection cycle.

ESTIMATED COSTS—Continued

Action	Work hours	Average labor rate per hour	Cost per product	Number of U.S.-registered airplanes	Fleet cost
New inspection in this AD	Between 2 and 30 ..	85	Between \$170 and \$2,550 per inspection cycle.	654	Between \$111,180 and \$1,667,700 per inspection cycle.

We have received no definitive data that would enable us to provide a cost estimate for the on-condition actions specified in this AD.

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 have 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 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.

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 removing airworthiness directive (AD) 2010–01–09, Amendment 39–16167 (75 FR 1527, January 12, 2010), and adding the following new AD:

2011–24–12 The Boeing Company:
Amendment 39–16876; Docket No. FAA–2011–0914; Directorate Identifier 2010–NM–166–AD.

(a) Effective Date

This airworthiness directive (AD) is effective January 5, 2012.

(b) Affected ADs

This AD supersedes AD 2010–01–09, Amendment 39–16167 (75 FR 1527, January 12, 2010).

(c) Applicability

This AD applies to all The Boeing Company Model 737–200, –200C, –300, –400, and –500 series airplanes, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by reports of additional crack findings of the fuselage crown skin at the chem-milled steps. We are issuing this AD to detect and correct fatigue cracking of the fuselage skin panels at the chem-milled steps, which could result in sudden fracture and failure of the fuselage skin panels, and consequent rapid decompression of the airplane.

(f) Compliance

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

Restatement of Requirements of AD 2010–01–09, Amendment 39–16167 (75 FR 1527, January 12, 2010)

(g) Initial and Repetitive Inspections

For airplanes identified in Boeing Alert Service Bulletin 737–53A1301, dated September 3, 2009: Before the accumulation of 35,000 total flight cycles, or within 500 flight cycles after February 16, 2010 (the effective date of AD 2010–01–09), whichever occurs later, except as provided by paragraph (i) of this AD, do an external non-destructive inspection (NDI) to detect cracks in the fuselage skin along the chem-mill steps at stringers S–1 and S–2 right, between station (STA) 827 and STA 847, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1301, dated September 3, 2009; or Boeing Alert Service Bulletin 737–53A1301, Revision 2, dated April 25, 2011. If no cracking is found, repeat the inspection thereafter at intervals not to exceed 500 flight cycles; except as provided by paragraphs (i) and (n) of this AD. Accomplishing the inspections required by paragraph (j) of this AD terminates the inspections required by this paragraph.

(h) Repair

If any crack is found during any inspection required by paragraph (g) of this AD, and Boeing Alert Service Bulletin 737–53A1301, dated September 3, 2009; or Boeing Alert Service Bulletin 737–53A1301, Revision 2, dated April 25, 2011; specifies to contact Boeing for repair instructions: Before further flight, repair the crack using a method approved in accordance with the procedures specified in paragraph (q) of this AD.

(i) Optional Terminating Action for Repetitive Inspections in Paragraph (g) of This AD

Installing an external repair doubler along the chem-milled steps at stringers S–1 and S–2 right, between STA 827 and STA 847, constitutes terminating action for the repetitive inspections required by paragraph (g) of this AD for the repaired area only, provided all of the conditions specified in paragraphs (i)(1), (i)(2), and (i)(3) of this AD are met.

- (1) The repair is installed after September 3, 2009;
- (2) The repair was approved by the FAA or by a Boeing Company Authorized Representative or the Boeing Commercial Airplanes Organization Designation

Authorization (ODA) that has been authorized by the Manager, Seattle Aircraft Certification Office (ACO), FAA, to make such findings; and

(3) The repair extends a minimum of three rows of fasteners on each side of the chem-mill line in the circumferential direction.

New Inspections Including Additional Locations and Reduced Inspection Intervals

(j) Groups 1 Through 25: Initial and Repetitive Inspections

For Groups 1 through 25 airplanes identified in Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011: Except as provided by paragraph (k) of this AD, at the applicable time specified in paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011, do the applicable inspections required by paragraphs (j)(1) and (j)(2) of this AD, in accordance with paragraphs 3.B.1 through 3.B.25 of the Accomplishment Instructions of Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011. If no cracking is found, repeat the applicable inspections thereafter at the applicable intervals specified in paragraph 1.E., "Compliance," of Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011; except as provided by paragraphs (m) and (n) of this AD. Doing the inspections required by this paragraph terminates the inspections required by paragraph (g) of this AD.

(1) For Groups 2, 8, 10, 13 through 18, and 21 through 25 airplanes: Do a detailed inspection and an external non-destructive inspection (NDI) (medium frequency eddy current inspection, magneto optical imaging inspection, c-scan inspection, or ultrasonic phased array inspection) for cracking in the fuselage skin at the chem-mill steps at stringers S-1 and S-2R between STA 827 and STA 847, as identified in the Accomplishment Instructions of Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011.

(2) For Groups 1 through 25 airplanes: Do a detailed inspection and an external NDI (medium frequency eddy current inspection; magneto optical imaging inspection, c-scan inspection, or ultrasonic phased array inspection) for cracking in the fuselage skin at the chem-mill steps at the specified locations other than at S-1 and S-2R between STA 827 and STA 847, as identified in the Accomplishment Instructions of Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011.

Note 1: Option 1 of Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011, specifies a detailed inspection, and one additional inspection (external NDI, medium frequency eddy current inspection, magneto optical imaging inspection, or c-scan inspection). Option 2 of Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011, specifies a detailed inspection and an external ultrasonic phased array inspection. These options have different compliance times after the initial inspection.

(k) Exception

Where Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011, specifies a compliance time after "the date of Revision 1," or "the date of Revision 2" of that service bulletin, this AD requires compliance within the specified time after the effective date of this AD.

(l) Repair

If any crack is found during any inspection required by paragraph (j) of this AD: Before further flight, repair the crack using a method approved in accordance with the procedures specified in paragraph (q) of this AD. Doing the repair ends the repetitive inspections required by paragraph (j) for the repaired area only.

(m) Optional Terminating Action for Repetitive Inspections

Installing an external repair doubler along the chem-milled steps at any location identified in Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011, constitutes terminating action for the repetitive inspections required by paragraph (j) of this AD for the repaired area only, provided all of the conditions specified in paragraphs (m)(1), (m)(2), and (m)(3) of this AD are met.

(1) The repair is installed after the applicable date specified in paragraph (m)(1)(i) and (m)(1)(ii) of this AD.

(i) For repairs at S-1 and S-2R between STA 827 and STA 847: Installed after September 3, 2009.

(ii) For repairs at locations other than at S-1 and S-2R between STA 827 and STA 847: Installed after June 7, 2010.

(2) The repair was approved by the FAA or by a Boeing Company Authorized Representative or the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle Aircraft Certification Office (ACO) to make such findings; and

(3) The repair extends a minimum of three rows of fasteners on each side of the chem-mill line in the circumferential direction.

(n) Modification

Accomplishing a modification of the chem-milled steps at any location identified in Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011, using a method approved in accordance with the procedures specified in paragraph (q)(1) of this AD, terminates the repetitive inspections required by paragraphs (g) and (j) of this AD for the modified area only.

(o) Group 26 Airplanes

For Group 26 airplanes identified in Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011: Within 1,800 flight cycles after the effective date of this AD, accomplish applicable inspections and corrective action, as identified in the service bulletin, using a method approved in accordance with the procedures specified in paragraph (q)(1) of this AD.

(p) Credit for Actions Accomplished in Accordance With Previous Service Information

Actions done before the effective date of this AD in accordance with Boeing Alert Service Bulletin 737-53A1301, Revision 1, dated June 7, 2010, are acceptable for compliance with the corresponding requirements of this AD.

(q) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle 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.

(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) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes ODA that has been authorized by the Manager, Seattle ACO to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane.

(r) Related Information

For more information about this AD, contact Wayne Lockett, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057-3356; phone: (425) 917-6447; fax: (425) 917-6590; email: wayne.lockett@faa.gov.

(s) Material Incorporated by Reference

You must use the following service information to do the actions required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference (IBR) under 5 U.S.C. 552(a) and 1 CFR part 51 of the following service information on the date specified:

(1) Boeing Alert Service Bulletin 737-53A1301, Revision 2, dated April 25, 2011, approved for IBR January 5, 2012.

(2) Boeing Alert Service Bulletin 737-53A1301, dated September 3, 2009, approved for IBR February 16, 2010 (75 FR 1527, January 12, 2010).

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

(4) You may review copies of the 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.

(5) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at an NARA facility, call (202) 741-6030, or go to http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on November 17, 2011.

John P. Piccola,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2011-30608 Filed 11-30-11; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 902

50 CFR Parts 679 and 680

[Docket No. 100107012-1689-03]

RIN 0648-AY53

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod Allocations in the Gulf of Alaska; Amendment 83

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS publishes regulations to implement Amendment 83 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (GOA). Amendment 83 allocates Western and Central GOA Pacific cod total allowable catch (TAC) limits among various gear and operational sectors. Sector allocations limit the amount of Western and Central GOA Pacific cod that each sector is authorized to harvest. This action reduces competition among sectors and supports stability in the Pacific cod fishery. This rule limits access to the Federal Pacific cod TAC fisheries prosecuted in State of Alaska waters, commonly known as the parallel fishery, adjacent to the Western and Central GOA. This action is intended to promote community participation and provide incentives for new entrants in the jig sector. It also promotes the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act, the Fishery Management Plan, and other applicable laws.

DATES: Effective January 1, 2012.

ADDRESSES: Electronic copies of this rule, the Environmental Assessment

(EA), and Regulatory Impact Review (RIR) may be obtained from the NMFS Alaska Region Web site at <http://alaskafisheries.noaa.gov>.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted by mail to NMFS, Alaska Region, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Ellen Sebastian, Records Officer; in person at NMFS, Alaska Region, 709 West 9th Street, Room 420A, Juneau, Alaska; and by email to OIRA_Submission@omb.eop.gov, or by fax to (202) 395-7285.

FOR FURTHER INFORMATION CONTACT:

Seanbob Kelly, (907) 586-7228.

SUPPLEMENTARY INFORMATION: NMFS

manages the groundfish fisheries in the U.S. exclusive economic zone (EEZ) of the GOA under the Fishery Management Plan for Groundfish of the GOA (FMP). The North Pacific Fishery Management Council (Council) prepared, and NMFS approved, the FMP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), 16 U.S.C. 1801 *et seq.* Regulations governing U.S. fisheries and implementing the FMP appear at 50 CFR parts 600 and 679.

The Notice of Availability for Amendment 83 was published in the **Federal Register** on June 28, 2011 (76 FR 37763), with a 60-day comment period that ended August 29, 2011. The Secretary of Commerce (Secretary) approved Amendment 83 on September 22, 2011. The Council submitted the proposed rule to NMFS, and it was published in the **Federal Register** on July 26, 2011 (76 FR 44700). The 45-day comment period on the proposed rule ended September 9, 2011. NMFS received a total of 6 letters, from five unique persons, on Amendment 83 and the proposed rule implementing the amendment. The letters contained 29 individual comments. A summary of these comments and the responses by NMFS are provided under Response to Comments below.

Elements of the Final Rule

A detailed review of the provisions of Amendment 83 and its implementing rule is provided in the preamble to the proposed rule (76 FR 44700, July 26, 2011), and is not repeated here. The proposed rule is available from the NMFS Alaska Region web site (see **ADDRESSES**). The following provides a list and brief review of the regulatory changes made by this final rule to the management of the GOA Pacific cod fishery. NMFS' responses to public

comments on Amendment 83 and the proposed rule to implement Amendment 83 are also presented below.

Amendment 83 was adopted by the Council in December 2009 to supersede the current inshore/offshore processing allocation of Western and Central GOA Pacific cod among various harvesting sectors. Pacific Cod is second only to walleye pollock as the predominant GOA fishery. As one of the most valuable fish species in the GOA, Pacific cod is the primary species targeted by vessels using pot and hook-and-line gear and is an important species for vessels using the trawl gear. Smaller amounts of Pacific cod are taken by vessels using jig gear. Currently, Pacific cod in the GOA is apportioned on the basis of processor component (inshore and offshore) and season, as implemented under Amendment 23 to the GOA FMP (57 FR 23321, June 3, 1992). Under inshore/offshore management, 90 percent of the Western, Central, and Eastern GOA TAC is allocated to vessels catching Pacific cod for processing by the inshore component, and 10 percent to vessels catching Pacific cod for processing by the offshore component. The Council recognized that competition among participants in the Western and Central GOA Pacific cod fisheries has intensified in recent years. Because the TACs are divided by inshore/offshore processing components of the fishery and not divided among gear or operation types, there is a derby-style race for fish and competition among the various gear types for shares of the TACs.

Amendment 83 establishes sector allocations for each gear and operation type in the Western and Central GOA Pacific cod fisheries. In both regulatory areas, the sectors are jig, hook-and-line catcher/processor (C/P), pot catcher vessel (CV) and C/P combined, trawl C/P, trawl CV, and hook-and-line CV; however, in the Central GOA, the hook-and-line CV sector are further divided by vessel length. In the Central GOA, hook-and-line CVs less than 50 ft (15.2 m) LOA (< 50 ft (15.2 m) LOA) are in one sector and hook-and-line CVs greater than or equal to 50 ft (15.2 m) (≥ 50 ft (15.2 m)) are in another sector. Historically, the majority of catch by hook-and-line CVs has been harvested by vessels < 50 ft (15.2 m) LOA, but in recent years, there has been a substantial increase in catch by hook-and-line CVs that are between 50 ft (15.2 m) and 60 ft (18.3 m) LOA. Dividing this sector at 50 ft (15.2 m) LOA protects smaller boats from an influx of effort by vessels ≥ 50 ft (15.2 m) LOA. The Council recognized that in the Central