

representatives prior to proposing a rule for which an IRFA is required.

When an agency issues a rulemaking proposal, the RFA requires the agency to, “prepare and make available for public comment an initial regulatory flexibility analysis,” which will “describe the impact of the proposed rule on small entities.” The RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the proposed rulemaking is not expected to have a significant economic impact on a substantial number of small entities.

An IRFA is not required for this proposal because, if adopted, it would not have a significant economic impact on a substantial number of small entities. The proposed rule does not impose obligations or standards of conduct on any entities. In any event, as noted, the submission by any person of any information to the Bureau in the course of the Bureau’s supervisory or regulatory processes or the Bureau’s later disclosure of such submitted material generally does not waive or otherwise affect any privilege such person may claim with respect to such information under Federal or State law as to any other person or entity. The proposed rule is intended to codify this result in order to give further assurance to entities subject to the Bureau’s authority. Any requirement to provide information stems from the Bureau’s authority under existing law, not the proposed rule. To the extent that the proposed rule alters existing law, it protects any applicable privilege under Federal or State law that a covered person that provides information to the Bureau may claim.

Accordingly, the undersigned hereby certifies that, if promulgated, the proposed rule will not have a significant economic impact on a substantial number of small entities.

#### List of Subjects in 12 CFR Part 1070, Subpart D

Confidential business information, Consumer protection, Privacy.

#### Authority and Issuance

For the reasons set forth in the preamble, the Bureau proposes to amend 12 CFR part 1070, subpart D, as set forth below:

### PART 1070—DISCLOSURES OF RECORDS AND INFORMATION

#### Subpart D—Confidential Information

1. The authority citation for part 1070 continues to read as follows:

**Authority:** 12 U.S.C. 3401; 12 U.S.C. 5481 *et seq.*; 5 U.S.C. 552; 5 U.S.C. 552a; 18 U.S.C.

1905; 18 U.S.C. 641; 44 U.S.C. ch. 30; 5 U.S.C. 301.

2. Amend § 1070.47 by revising paragraph (c) to read as follows:

#### § 1070.47 Other Rules Regarding Disclosure of Confidential Information.

\* \* \* \* \*

(c) *Non-waiver.* (1) In General. The CFPB shall not be deemed to have waived any privilege applicable to any information by transferring that information to, or permitting that information to be used by, any Federal or State agency.

(2) Rule of Construction. Paragraph (1) shall not be construed as implying that any person waives any privilege applicable to any information because paragraph (1) does not apply to the transfer or use of that information.

3. Add § 1070.48 to subpart D to read as follows:

#### § 1070.48 Privileges not affected by disclosure to the CFPB.

(a) *In General.* The submission by any person of any information to the CFPB for any purpose in the course of any supervisory or regulatory process of the Bureau shall not be construed as waiving, destroying, or otherwise affecting any privilege such person may claim with respect to such information under Federal or State law as to any person or entity other than the CFPB.

(b) *Rule of Construction.* Paragraph (a) shall not be construed as implying or establishing that—

(1) Any person waives any privilege applicable to information that is submitted or transferred under circumstances to which paragraph (a) does not apply; or

(2) Any person would waive any privilege applicable to any information by submitting the information to the CFPB but for this section.

Dated: March 12, 2012.

**Richard Cordray,**

*Director, Bureau of Consumer Financial Protection.*

[FR Doc. 2012-6254 Filed 3-14-12; 8:45 am]

**BILLING CODE 4810-AM-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2012-0264; Directorate Identifier 2011-NM-179-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Airplanes

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all Airbus Model A300 B4-603, B4-605R, and B4-622R airplanes; Model A300 C4-605R Variant F airplanes; and Model A300 F4-600R series airplanes. This proposed AD was prompted by a report that chafing was detected between the autopilot electrical wiring conduit and the wing bottom skin. This proposed AD would require modifying the wiring installation on the right-hand wing. We are proposing this AD to prevent sparking due to electrical chafing when flammable vapors are present in the area, which could cause an uncontrolled fire.

**DATES:** We must receive comments on this proposed AD by April 30, 2012.

**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 W12-140, 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—EAW (Airworthiness Office), 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email [account.airworth-eas@airbus.com](mailto:account.airworth-eas@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.

### 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:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: (425) 227-2125; fax: (425) 227-1149; email: [Dan.Rodina@faa.gov](mailto:Dan.Rodina@faa.gov).

### 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-2012-0264; Directorate Identifier 2011-NM-179-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 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 2011-0161, dated August 26, 2011 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

During a scheduled general visual inspection in a zone adjacent to a fuel tank (zone 675) chafing was detected between the autopilot electrical wiring conduit and the wing bottom skin.

This condition, in the scope of published FAA SFAR88 [Special Federal Aviation Regulation] and JAA [Joint Aviation Authority] Internal Policy INT/POL/25/12, is considered on ground to be a potential source

of explosive condition due to the risk of a spark with electrical wire chafing when flammable vapours are present in the area. If left uncorrected, this condition could lead to an uncontrolled fire.

For the reasons described above, this [EASA] AD requires modification of the wiring installation to improve the routing and the protection of the harnesses in the zone 675/Rib 6 of the Right Hand wing.

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

#### Relevant Service Information

Airbus has issued Mandatory Service Bulletin A300-24-6109, dated July 4, 2011. 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.

#### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 132 products of U.S. registry. We also estimate that it would take about 7 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$1,720 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 the proposed AD on U.S. operators to be \$305,580, or \$2,315 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);
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 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-2012-0264; Directorate Identifier 2011-NM-179-AD.

**(a) Comments Due Date**

We must receive comments by April 30, 2012.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Airbus Model A300 B4-603, B4-605R, and B4-622R airplanes; Model A300 C4-605R Variant F airplanes; and Model A300 F4-605R and F4-622R airplanes; certificated in any category; all serial numbers.

**(d) Subject**

Air Transport Association (ATA) of America Code 92.

**(e) Reason**

This AD was prompted by a report that chafing was detected between the autopilot electrical wiring conduit and the wing bottom skin. We are issuing this AD to prevent sparking due to electrical chafing when flammable vapors are present in the area, which could cause an uncontrollable 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) Modification**

Within 30 months or 4,500 flight hours after the effective date of this AD, whichever occurs first: Modify the wiring in zone 675 of the right-hand wing, in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A300-24-6109, dated July 4, 2011.

**(h) Other FAA AD Provisions**

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. 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 International Branch, send it to ATTN: Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: (425) 227-2125; fax: (425) 227-1149; email: [Dan.Rodina@faa.gov](mailto:Dan.Rodina@faa.gov). Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@faa.gov). 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.

**(i) Related Information**

Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2011-0161, dated August 26, 2011; and Airbus Mandatory Service Bulletin A300-24-6109, dated July 4, 2011; for related information.

Issued in Renton, Washington, on March 1, 2012.

**Jeffrey E. Duven,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2012-6246 Filed 3-14-12; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2012-0265; Directorate Identifier 2010-NM-216-AD]

**RIN 2120-AA64**

**Airworthiness Directives; Dassault Aviation Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to supersede an existing airworthiness directive (AD) that applies to certain Dassault Aviation Model FALCON 7X airplanes. The existing AD currently requires revising the Abnormal Procedures and Limitations sections of the Dassault F7X airplane flight manual. Since we issued that AD, we have determined that additional actions are necessary to address the identified unsafe condition. This proposed AD would require performing a test of the power distribution control units (PDCU) cards and generator control units (GCU) cards to detect faulty components, and if any faulty components are found, replacing any affected PDCU or GCU card. We are proposing this AD to detect and correct a leakage failure mode of transient voltage suppression (TVS) diodes used on PDCU cards or GCU cards in the primary power distribution boxes (PPDB), which, in combination with other system failures, could lead to loss of controllability of the airplane.

**DATES:** We must receive comments on this proposed AD by April 30, 2012.

**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 W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For Dassault service information identified in this proposed AD, contact Dassault Falcon Jet, P.O. Box 2000, South Hackensack, New Jersey 07606; telephone 201-440-6700; Internet <http://www.dassaultfalcon.com>. For Goodrich Corporation, Power Systems, 1555 Corporate Woods Parkway, Uniontown, Ohio 44685-8799; telephone 330-487-2007; fax 330-487-1902; email

[twinsburg.techpubs@goodrich.com](mailto:twinsburg.techpubs@goodrich.com);

Internet <http://www.goodrich.com/TechPubs>. 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 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:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-1137; 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-2012-0265; Directorate Identifier