

providers and thereby detect and prevent risks to consumers.

The Bureau also believes that courts applying the principles of the common law would be unlikely to find a waiver of any applicable privilege in most circumstances in which it will share privileged information with another Federal or State agency. For example, the Bureau believes it unlikely that a court would find a waiver if it were to share its privileged deliberative work product with Federal or State agencies in the context of a coordinated examination or joint investigation. In circumstances in which the rule does result in a determination regarding waiver different than that which would be reached under existing law, section 1070.47(c)'s only effect would be to preserve the confidentiality of privileged information and, therefore, would not impose material costs on consumers or covered persons for the same reasons as set forth above in relation to section 1070.48. Accordingly, section 1070.47(c) is not expected to impose material costs on consumers or covered persons or to impact consumers' access to consumer financial products or services.

Finally, although the final rule would apply to privileged information submitted by depository institutions or credit unions with \$10,000,000,000 or less in assets as described in section 1026 of the Dodd-Frank Act, it has no unique impact upon such institutions. Nor does the final rule have a unique impact on rural consumers.

#### IV. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, requires each agency to consider the potential impact of its regulations on small entities, including small businesses, small governmental units, and small not-for-profit organizations.

The RFA generally requires an agency to conduct an initial regulatory flexibility analysis (IRFA) and a final regulatory flexibility analysis (FRFA) of any rule subject to notice-and-comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. The Bureau did not perform an IRFA because it determined and certified that the proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The Bureau did not receive any comments regarding its certification, and is adopting the proposed rule without change.

A FRFA is not required for the proposed rule because it will 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 final 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 final rule. To the extent that the final 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 the final rule will not have a significant economic impact on a substantial number of small entities.

#### List of Subjects in 12 CFR Part 1070

Confidential business information, Consumer protection, Privacy.

#### Authority and Issuance

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

#### PART 1070—DISCLOSURES OF RECORDS AND 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.

#### Subpart D—Confidential Information

■ 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 (c)(1) of this section shall not be

construed as implying that any person waives any privilege applicable to any information because paragraph (c)(1) does not apply to the transfer or use of that information.

■ 3. Add § 1070.48 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 CFPB 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) of this section 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) of this section 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: June 26, 2012.

**Richard Cordray,**

*Director, Bureau of Consumer Financial Protection.*

[FR Doc. 2012-16247 Filed 7-3-12; 8:45 am]

**BILLING CODE 4810-AM-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 33

[Amendment No. 33-33]

#### Airworthiness Standards: Aircraft Engines; Technical Amendment

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** This amendment clarifies aircraft engine vibration test requirements in the airworthiness standards. The clarification is in response to inquiries from applicants requesting FAA engine type certifications and aftermarket certifications, such as supplemental type certificates, parts manufacturing approvals, and repairs. We are revising the regulations to clarify that "engine surveys" require an engine test. The change is not substantive in nature, and will not impose any additional burden on any person.

**DATES:** This amendment becomes effective July 5, 2012.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this action, contact Dorina Mihail, Federal Aviation Administration, Engine and Propeller Directorate, Standards Staff, ANE-110, 12 New England Executive Park, Burlington, Massachusetts 01803-5229; (781) 238-7153; facsimile: (781) 238-7199; email: [dorina.mihail@faa.gov](mailto:dorina.mihail@faa.gov).

For legal questions concerning this action, contact Vincent Bennett, Federal Aviation Administration, Office of Regional Counsel, ANE-7, 12 New England Executive Park, Burlington, Massachusetts 01803-5299; telephone (781) 238-7044; fax (781) 238-7055; email [vincent.bennett@faa.gov](mailto:vincent.bennett@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The airworthiness standards in § 33.83 refer to engine surveys, vibration surveys, vibration test, or simply surveys with the intent to prescribe engine vibration surveys conducted by the means of an engine test. This intent has been applied since the regulation was first issued in 1964 and is common certification practice. However, FAA continues to receive requests for clarification in regard to the “engine surveys” required in the second sentence of § 33.83(a). The requested clarification was whether an “appropriate combination of experience, analysis, and component test” is acceptable in lieu of an engine test. We are revising § 33.83(a) to clarify that the applicants must conduct the engine surveys by the means of an engine test, and that the applicants may use an “appropriate combination of experience, analysis, and component test” in support of conducting the engine test. This clarification is not substantive in nature, and will not impose any additional burden on any person.

**List of Subjects in 14 CFR Part 33**

Aircraft, Aviation safety.

**The Amendment**

In consideration of the following, the Federal Aviation Administration amends part 33 of Title 14, Code of Federal Regulations, as follows:

**PART 33—AIRWORTHINESS STANDARDS: AIRCRAFT ENGINES**

■ 1. The authority citation for part 33 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701-44702, 44704.

■ 2. Revise § 33.83(a) to read as follows:

**§ 33.83 Vibration test.**

(a) Each engine must undergo vibration surveys to establish that the vibration characteristics of those components that may be subject to mechanically or aerodynamically induced vibratory excitations are acceptable throughout the declared flight envelope. Compliance with this section must be demonstrated by engine test, and must address, as a minimum, blades, vanes, rotor discs, spacers, and rotor shafts. The conduct of the engine test should be based on an appropriate combination of experience, analysis, and component test.

\* \* \* \* \*

Issued in Washington, DC, on June 7, 2012.

**Lirio Liu,**

*Acting Director, Office of Rulemaking.*

[FR Doc. 2012-16290 Filed 7-3-12; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2012-0416; Directorate Identifier 2012-NE-13-AD; Amendment 39-17078; AD 2012-11-14]**

**RIN 2120-AA64**

**Airworthiness Directives; Pratt & Whitney Canada Turboprop Engines**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all Pratt & Whitney Canada (P&WC) PW118, PW118A, PW118B, PW119B, PW119C, PW120, PW120A, PW121, PW121A, PW123, PW123B, PW123C, PW123D, PW123E, PW123AF, PW124B, PW125B, PW126A, PW127, PW127E, PW127F, PW127G, and PW127M turboprop engines. This AD requires initial and repetitive inspections of certain serial numbers (S/Ns) of propeller shafts for cracks and removal from service if found cracked. This AD was prompted by reports of two propeller shafts found cracked at time of inspection during maintenance. We are issuing this AD to detect propeller shaft cracks, which could cause failure of the shaft, propeller release, and loss of control of the airplane.

**DATES:** This AD becomes effective July 20, 2012.

We must receive comments on this AD by August 20, 2012.

The Director of the Federal Register approved the incorporation by reference of P&WC Alert Service Bulletin (ASB) No. PW100-72-A21813, Revision 3, dated March 21, 2012, ASB No. PW100-72-A21802, Revision 4, dated March 16, 2012, and Special Instruction P&WC 22-2012R2, dated April 4, 2012, listed in the AD as of July 20, 2012.

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

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- **Mail:** U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- **Hand Delivery:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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

For service information identified in this AD, contact Pratt & Whitney Canada Corp., 1000 Marie-Victorin, Longueuil, Quebec, Canada, J4G 1A1; phone 800-268-8000; fax 450-647-2888; Web site: [www.pwc.ca](http://www.pwc.ca). You may review copies of the referenced service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781-238-7125.

**Examining the AD Docket**

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

**FOR FURTHER INFORMATION CONTACT:** James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; email: [james.lawrence@faa.gov](mailto:james.lawrence@faa.gov); phone: 781-238-7176; fax: 781-238-7199.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

Transport Canada, which is the aviation authority for Canada, has issued Canada AD CF-2012-12, dated March 26, 2012 (referred to after this as “the MCAI”), to correct an unsafe