(e) Reason
This AD was prompted by a report of a capacitive density condenser (cadiscon) coil overheating during testing. We are issuing this AD to detect and correct potential overheating of the cadiscon coil, which could create an ignition source inside a fuel tank, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of the airplane.

(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 30 months after the effective date of this AD, inspect to determine whether any fuel quantity indication computer (FQIC) Type 1, having part number (P/N) SIC5054 or P/N SIC5051 (as applicable to the airplane model), is installed, in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A300–28–6024, Revision 02, dated January 19, 2011; or Airbus Mandatory Service Bulletin A310–28–2039, Revision 01, dated January 19, 2011; as applicable. A review of airplane maintenance records is acceptable in lieu of this inspection if the part number of the FQIC can be conclusively determined from that review. If any FQIC Type 1 having P/N SIC5054 or P/N SIC5051 is installed, within 30 months after the effective date of this AD, replace the FQIC Type 1 with a FQIC Type 2 having P/N SIC5055, P/N SIC5076, P/N SIC5082, or P/N SIC5083 (as applicable to Model A310 series airplanes) or with a FQIC Type 2 having P/N SIC5077 (as applicable to Model A300 B4–600 series airplanes), and modify the associated wiring, in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A300–28–6024, Revision 02, dated January 19, 2011; or Airbus Mandatory Service Bulletin A310–28–2039, Revision 01, dated January 19, 2011; as applicable.

(h) Parts Installation Prohibition
As of the effective date of this AD, no person may install any FQIC Type 1 having P/N SIC5054 or P/N SIC5051, on any airplane.

(i) 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, Washington 98057–3396; telephone (425) 227–2125; fax (425) 227–1149. Information may be emailed to: 9–ANN–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.

(j) Related Information
Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2011–0186, dated September 23, 2011, and the service information specified in paragraphs (j)(1) and (j)(2) of this AD, for related information.


(k) Material Incorporated by Reference
(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the following service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use the following service information to do the actions required by this AD, unless the AD specifies otherwise.


(3) For Airbus service information identified in this AD, contact Airbus SAS—EAW (Airworthiness Office), 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 66 96; fax +33 5 61 93 44 51; email account.airworth- eus@airbus.com; Internet http://www.airbus.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.

(6) This final rule took effect on August 27, 2012.

B. Notice and Public Procedure
Because this amendment deals with agency management and procedures, the notice and comment provisions of the Administrative Procedure Act do not apply pursuant to 5 U.S.C. 553(a)(2) and (b)(3)(A).

Good cause exists to dispense with the usual 30-day delay in the effective date because the amendments are of a minor and administrative nature dealing with only a change in address. The Commission is an independent regulatory agency and, as such, is not
subject to the requirements of E.O. 12866, E.O. 13132, or the Unfunded Mandates Reform Act, 2 U.S.C. 1501 et seq.

The Commission has determined that this rulemaking is exempt from the requirements of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) because a general notice of proposed rulemaking is not required under 5 U.S.C. 553(b).

This rule does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). The Commission has determined that the Congressional Review Act, 5 U.S.C. 801, is not applicable here because, pursuant to 5 U.S.C. 804(3)(C), this rule does not substantially affect the rights or obligations of non-agency parties.

List of Subjects
29 CFR Part 2700
Administrative practice and procedure, Mine safety and health, Penalties, Whistleblowing.

29 CFR Part 2701
Sunshine Act.

29 CFR Part 2702
Freedom of information.

29 CFR Part 2704
Claims, Equal access to justice, Lawyers.

29 CFR Part 2705
Privacy.

29 CFR Part 2706
Administrative practice and procedure, Civil rights, Equal employment opportunity, Federal buildings and facilities, Individuals with disabilities.

Accordingly, Chapter XXVII of Title 29 of the Code of Federal Regulations is amended as follows:

PART 2700—PROCEDURAL RULES

1. The authority citation for part 2700 continues to read as follows:


§ 2700.1 [Amended]

2. In § 2700.1(a)(1), remove “601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001” and add in its place “1331 Pennsylvania Avenue NW., Suite 520N, Washington, DC 20004–1710”.

§ 2700.4 [Amended]

3. In § 2700.4(b)(1), remove “601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001” and add in its place “1331 Pennsylvania Avenue NW., Suite 520N, Washington, DC 20004–1710”.

§ 2700.5 [Amended]

4. In § 2700.5:

a. In paragraph (b)(1), remove “601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001” and add in its place “1331 Pennsylvania Avenue NW., Suite 520N, Washington, DC 20004–1710”.

b. In paragraph (i), remove “601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001” and add in its place “1331 Pennsylvania Avenue NW., Suite 520N, Washington, DC 20004–1710”.

PART 2701—GOVERNMENT IN THE SUNSHINE ACT REGULATIONS

6. The authority citation for part 2701 continues to read as follows:


§ 2701.4 [Amended]

7. In § 2701.4, remove “601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001” and add in its place “1331 Pennsylvania Avenue NW., Suite 520N, Washington, DC 20004–1710”.

PART 2702—REGULATIONS IMPLEMENTING THE FREEDOM OF INFORMATION ACT

8. The authority citation for part 2702 continues to read as follows:


9. Section 2702.2 is revised to read as follows:

§ 2702.2 Location of headquarters.


§ 2702.3 [Amended]

10. In § 2702.3(a), remove “601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001–2021” and add in its place “1331 Pennsylvania Avenue NW., Suite 520N, Washington, DC 20004–1710”.

§ 2702.4 [Amended]

11. In § 2702.4(a), remove “601 New Jersey Ave., NW., Suite 9500, Washington, DC” and add in its place “1331 Pennsylvania Avenue NW., Suite 520N, Washington, DC 20004–1710”.

PART 2704—IMPLEMENTATION OF THE EQUAL ACCESS TO JUSTICE ACT IN COMMISSION PROCEEDINGS

12. The authority citation for part 2704 continues to read as follows:


§ 2704.201 [Amended]

13. In § 2704.201(a), remove “601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001” and add in its place “1331 Pennsylvania Avenue NW., Suite 520N, Washington, DC 20004–1710”.

§ 2704.308 [Amended]


PART 2705—PRIVACY ACT IMPLEMENTATION

15. The authority citation for part 2705 continues to read as follows:


§ 2705.4 [Amended]

16. In § 2705.4, remove “601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001” and add in its place “1331 Pennsylvania Avenue NW., Suite 520N, Washington, DC 20004–1710”.

§ 2705.8 [Amended]

17. In § 2705.8, remove “601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001” and add in its place “1331 Pennsylvania Avenue NW., Suite 520N, Washington, DC 20004–1710”.

PART 2706—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

18. The authority citation for part 2706 continues to read as follows:
SUMMARY: The Coast Guard is establishing a temporary safety zone on the Pamlico and Tar Rivers to commemorate Beaufort County’s 300th anniversary. The temporary safety zone created by this rule is necessary to ensure the safety of vessels and spectators from hazards associated with the fireworks display. Such hazards include obstructions to the waterway that may cause death, serious bodily harm, or property damage. Establishing a safety zone to control vessel movement around the location of the launch area will help ensure the safety of persons and property in the vicinity of this event and help minimize the associated risks.

B. Basis and Purpose

On September 22, 2012 fireworks will be launched from a point on land near the Pamlico and Tar Rivers to commemorate Beaufort County’s 300th anniversary. The temporary safety zone created by this rule is necessary to ensure the safety of vessels and spectators from hazards associated with the fireworks display. Such hazards include obstructions to the waterway that may cause death, serious bodily harm, or property damage. Establishing a safety zone to control vessel movement around the location of the launch area will help ensure the safety of persons and property in the vicinity of this event and help minimize the associated risks.

C. Discussion of Comments, Changes and the Final Rule

We received no comments on the proposed rule. No public meeting was requested, and none was held.

A temporary safety zone is necessary to ensure the safety of spectators and vessels during the setup, loading, and launching of the Beaufort County 300th Anniversary Fireworks Display. The fireworks display will occur for approximately 25 minutes from 9 p.m. to 9:25 p.m. on September 22, 2012. However, the Safety Zone will be enforced from 8 p.m. until 10 p.m. in order to ensure safety during the setup, loading and removal of the display equipment. The safety zone will encompass all waters on the Pamlico and Tar Rivers within a 300 yard radius of the launch site on land at position 35°32′25″ N, longitude 77°03′42″ W. All geographic coordinates are North American Datum 1983 (NAD 83). The effect of this temporary safety zone will be to restrict navigation in the regulated area during the enforcement period.

All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Sector North Carolina or his designated representative. The Captain of the Port or his designated representative may be contacted via VHF Channel 16. Notification of the temporary safety zone will be provided to the public via marine information broadcasts.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. Although this regulation will restrict access to the area, the effect of this rule will not be significant because: (i) The safety zone will only be in effect from 8 p.m. to 10 p.m. on September 22, 2012, (ii) the Coast Guard will give advance notification via maritime advisories so mariners can adjust their plans accordingly, and (iii) although the safety zone will apply to the section of the Pamlico River and Tar River, vessel traffic will be able to transit safely around the safety zone.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The Coast Guard received no comments from the Small Business Administration on this rule. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which may be small entities: The owners or operators of vessels intending to transit through or anchor in the specified portion of