(d) Subject
Air Transport Association (ATA) of America Code 57: Wings.

(e) Reason
This AD was prompted by reports of failure of the side-brace fitting shaft of the main landing gear (MLG) due to corrosion. We are issuing this AD to prevent fractures of the side-brace fitting shafts of the MLG, and possible collapse of the MLG.

(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) Inspection of MLG Side-Brace Fitting Shaft and Replacement
(1) At the applicable times specified in paragraphs (g)(1)(i), (g)(1)(ii), (g)(1)(iii), and (g)(1)(iv) of this AD, do a detailed inspection for corrosion and damage of each side-brace fitting shaft of the MLG, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 601R–57–052, Revision A, dated October 28, 2011. Repeat the inspections at the applicable times specified in paragraphs (g)(1)(i), (g)(1)(ii), (g)(1)(iii), and (g)(1)(iv) of this AD.

(ii) For airplanes that average greater than 900 flight hours per year and have side-brace shafts part number (P/N) 601R10237–1 installed in either the left- or right-hand MLG, or if the side-brace shaft part number cannot be identified without removal: Within 117 months after the effective date of this AD, do the inspection. Repeat the inspections thereafter at intervals not to exceed 1,000 flight hours until the replacement specified in paragraph (g)(2) or (h) of this AD is done.

(iii) For airplanes that average 900 flight hours or less per year and have side-brace shafts P/N 601R10237–1 installed on either the left- or right-hand MLG: Within 36 months after the effective date of this AD, do the inspection. Repeat the inspections thereafter at intervals not to exceed 36 months until the replacement specified in paragraph (g)(2) or (h) of this AD is done.

(iv) For airplanes that average 900 flight hours or less per year and have side-brace shafts P/N 601R10237–3 installed on either the left- or right-hand MLG: Within 60 months after the effective date of this AD, do the inspection. Repeat the inspections thereafter at intervals not to exceed 60 months until the replacement specified in paragraph (g)(2) or (h) of this AD is done.

(2) If any corrosion or damage is found during any inspection required by paragraph (g) of this AD: Before further flight, replace the side-brace fitting shaft with a new shaft P/N 601R10247–3, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 601R–57–052, Revision A, dated October 28, 2011. Doing this replacement terminates the inspection requirements of paragraph (g) of this AD.

(h) Replacement
Do the replacement at the applicable time specified in paragraph (h)(1) or (h)(2) of this AD.

(1) For any airplanes that have side-brace shafts P/N 601R10237–1 installed, or if the side-brace shaft part number cannot be identified without removal: Within 27 months after the effective date of this AD, replace the side-brace fitting shaft of the MLG with a new shaft having P/N 601R10247–3, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 601R–57–052, Revision A, dated October 28, 2011. Doing this replacement terminates the inspection requirements of paragraph (g) of this AD.

(2) For airplanes that have side-brace shafts P/N 601R10237–3 installed: Within 117 months after the effective date of this AD, replace the side-brace fitting shaft of the MLG with a new shaft having P/N 601R10247–3, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 601R–57–052, Revision A, dated October 28, 2011. Doing this replacement terminates the inspection requirements of paragraph (g) of this AD.

(i) Credit for Previous Actions
This paragraph provides credit for the actions specified in paragraphs (g) and (h) of this AD, if those actions were performed before the effective date of this AD using Bombardier Service Bulletin 601R–57–052, dated July 28, 2011 (which is not incorporated by reference in this AD).

(j) Other FAA AD Provisions
The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, New York Aircraft Certification Office (ACO), ANE–170, 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 ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone 516–228–7300; fax 516–794–5531. 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.

(k) Related Information

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

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


(ii) Reserved.

(3) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vértou Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; email thd.crj@aero.bombardier.com; Internet http://www.bombardier.com.

(4) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW, Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this 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/cfr/ibr-locations.html.

Issued in Renton, Washington, on October 14, 2012.

John P. Piccola,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2012–26088 Filed 10–30–12; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39


RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Airbus Model A330–200 freighter series airplanes; Model A330–200 and –300
series airplanes; and Model A340–200 and –300 series airplanes. This AD was prompted by reports of ram air turbine (RAT) pump failure. This AD requires inspecting the RAT pump anti-stall valve for correct setting, re-identifying the RAT pump, performing a functional ground test of the RAT, and replacing the RAT pump or the RAT assembly with a serviceable part if necessary. We are issuing this AD to detect and correct malfunction of the RAT pump, which could lead to in-flight loss of the RAT-pump pressurization, possibly resulting in reduced control of the airplane.

DATES: This AD becomes effective December 5, 2012.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of December 5, 2012.

ADDRESSES: You may examine the AD docket on the Internet at http://www.regulations.gov or in person at the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC.


SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the Federal Register on July 11, 2012 (77 FR 40830). That NPRM proposed to correct an unsafe condition for the specified products. The Mandatory Continuing Airworthiness Information (MCAI) states:

During a test flight before delivery from production, an A330 aeroplane experienced a RAT [ram air turbine] pump failure, as a result of which, the green hydraulic system became inoperable. The anti-stall speed setting and leading to an inability of the hydraulic pump. The reduced control of the airplane, possible resulting in reduced control of the aeroplane. A340–500/–600 series aeroplanes are not affected by this issue because they are fitted with a different hydraulic pump P/N.

For the reasons described above, this [European Aviation Safety Agency] AD requires a check to ensure correct setting of the RAT anti-stall valve in the pump housing, followed by a RAT functional ground test, and accomplishment of the applicable corrective actions, depending on findings.

Corrective actions include replacing the RAT pump or the RAT assembly with a serviceable part. Required actions include reporting the findings of the inspection. You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (77 FR 40830, July 11, 2012) or on the determination of the cost to the public.

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed—except for minor editorial changes. We have determined that these minor changes:

• Are consistent with the intent that was proposed in the NPRM (77 FR 40830, July 11, 2012) for correcting the unsafe condition; and

• Do not add any additional burden upon the public than was already proposed in the NPRM (77 FR 40830, July 11, 2012).

Costs of Compliance

We estimate that this AD will affect 59 products of U.S. registry. We also estimate that it will take about 4 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be $20,060, or $340 per product.

In addition, we estimate that any necessary follow-on actions would take about 7 work-hours and require parts costing up to $405,143, for a cost of up to $405,738 per product. We have no way of determining the number of products that may need these actions.

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 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 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 AD and placed it in the AD docket.

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 the NPRM (77 FR 40830, July 11, 2012), 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.

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:

[Table of Amendments]

Federal Register / Vol. 77, No. 211 / Wednesday, October 31, 2012 / Rules and Regulations 65813
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:


(a) Effective Date

This airworthiness directive (AD) becomes effective December 5, 2012.

(b) Affected ADs

None.

(c) Applicability


(d) Subject

Air Transport Association (ATA) of America Code 29: Hydraulic Power.

(e) Reason

This AD was prompted by reports of ram air turbine (RAT) pump failure. We are issuing this AD to detect and correct malfunction of the RAT pump, which could lead to in-flight loss of the RAT-pump pressurization, possibly resulting in reduced control 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

1. Within the applicable compliance time specified in table 1 to paragraph (g)(1) of this AD, as applicable, check the RAT pump anti-stall valve for correct setting, re-identify the RAT pump, and do a functional ground test of the RAT, except as provided by paragraph (g)(3) of this AD; in accordance with the Accomplishment Instructions of the applicable service bulletin specified in paragraph (g)(1)(i) or (g)(1)(ii) of this AD.

2. Within 24 months after the last accomplishment of Airbus A330 CMR Task 292000–00001–1–C, or Airbus A340–200–300 CMR Task 292000–A0001–1–C, or Airbus A330/A340 MRBR Task 29.20.00/06, applicable to the airplane type, or 30 days after the effective date of this AD, whichever occurs later.


(2) Airbus Production Service Bulletin A330–200–300 CMR Task 292000–00001–1–C, or Airbus A330/A340 MRBR Task 29.20.00/06, applicable to the airplane type, has already been accomplished as of the effective date of this AD.

(j) 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: 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. Information may be emailed to: 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.

(k) Related Information

Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2011–0197, dated October 10, 2011, and the service bulletins specified in paragraphs (k)(1) and (k)(2) of this AD, for related information.


(l) Material Incorporated by Reference

1. The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this

### TABLE 1 TO PARAGRAPH (g)(1) OF THIS AD—COMPLIANCE TIMES

<table>
<thead>
<tr>
<th>Affected airplanes</th>
<th>Compliance time</th>
</tr>
</thead>
<tbody>
<tr>
<td>For airplanes on which Airbus A330 certification maintenance requirements (CMR) Task 292000–00001–1–C, or Airbus A340–200–300 CMR Task 292000–A0001–1–C, or Airbus A330/A340 maintenance review board report (MRBR) Task 29.20.00/06, as applicable to the airplane type, has not been accomplished as of the effective date of this AD.</td>
<td>Within 3,000 flight hours or 7 months, whichever occurs first after the effective date of this AD.</td>
</tr>
<tr>
<td>For airplanes on which the Airbus A330 CMR Task 292000–00001–1–C, or Airbus A340–200–300 CMR Task 292000–A0001–1–C, or Airbus A330/A340 MRBR Task 29.20.00/06, as applicable to the airplane type, has already been accomplished as of the effective date of this AD.</td>
<td>Within 24 months after the last accomplishment of Airbus A330 CMR Task 292000–00001–1–C, or Airbus A340–200–300 CMR Task 292000–A0001–1–C, or Airbus A330/A340 MRBR Task 29.20.00/06, applicable to the airplane type, or 30 days after the effective date of this AD, whichever occurs later.</td>
</tr>
</tbody>
</table>
paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.
(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.
(3) For service information identified in this 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; email airworthiness.A330-A340@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, WA. For information on the availability of this material at the FAA, call 425–227–1221.
(5) You may view this 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/cfr/ibr-locations.html.

Issued in Renton, Washington, on October 12, 2012.

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

[FR Doc. 2012–25563 Filed 10–30–12; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
15 CFR Part 922
[Docket No. 070726412–1300–02]
RIN 0648–BA24

Expansion of Fagatole Bay National Marine Sanctuary, Regulatory Changes, and Sanctuary Name Change; Notice of Effective Date


ACTION: Notice of effective date.

SUMMARY: NOAA published a final rule to add five additional discrete geographical areas to the sanctuary and change the name of the Fagatole Bay National Marine Sanctuary (FBNMS or sanctuary) to the National Marine Sanctuary of American Samoa (NMSAS) on July 26, 2012 (77 FR 43942). NOAA also amended existing sanctuary regulations and applied these regulations to activities in the sanctuary. Pursuant to Section 304(b) of the National Marine Sanctuaries Act (16 U.S.C. 1434(b)) the final regulations take effect after 45 days of continuous session of Congress beginning on July 26, 2012. Through this notice, NOAA is announcing the regulations became effective on October 15, 2012.

DATES: Effective Date: The regulations published on July 26, 2012 (77 FR 43942) are effective on October 15, 2012.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email Marine Science Technician First Class William G. Winegar, Sector Key West Prevention Department, Coast Guard; telephone 305–292–8809, email William.G.Winegar@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the Special Local Regulations for the annual Key West World Championship Super Boat Race in 33 CFR 100.701 on November 7, 2012; November 9, 2012; and November 11, 2012, from 9 a.m. until 5 p.m. These regulations can be found in the 2012 issue of the Federal Register 33 CFR 100.701.

On November 7, 9, and 11, 2012, Super Boat International Productions, Inc. is hosting the Key West World Championship, a series of high-speed boat races. The event will be held on the waters of the Atlantic Ocean located southwest of Key West, Florida. Approximately 75 high-speed power boats will be participating in the races. It is anticipated that at least 100 spectator vessels will be present during the races.

The special local regulations encompass certain waters of the Atlantic Ocean located southwest of Key West, Florida. The special local regulations will be enforced daily from 9 a.m. until 5 p.m. on November 7, 2012; November 9, 2012; and November 11, 2012. The special local regulations area will consist of the following four sections located within the area as listed in the event application. (1) A race area, where all persons and vessels, except those persons and vessels participating in the high-speed boat races, are prohibited from entering, transiting, anchoring, or remaining. The race area is defined as all waters of the Atlantic Ocean located southwest of Key West encompassed within an imaginary line connecting the following points: Starting at Point 1 in position 24°32′08″ N, 81°50′19″ W; thence east to Point 2 in position 24°32′23″ N, 81°48′58″ W; thence northeast to Point 3 in position 24°33′14″ N, 81°48′47″ W; thence northeast to Point 4 in position 24°33′54″ N, 81°48′22″ W; thence west to Point 5 in position 24°33′54″ N, 81°48′25″ W; thence southwest back to origin. All persons and vessels, except those persons and vessels participating in the high-speed boat races, are prohibited from entering, transiting through, anchoring in, or remaining within the race area. (2) A buffer zone around the race area, where all persons and vessels, except those persons and vessels enforcing the buffer zone, are prohibited from entering, transiting, anchoring, or remaining. The buffer zone is defined as all waters of the Atlantic Ocean located southwest of Key West encompassed within an imaginary line connecting the following points: Starting at Point 1 in position 24°32′26″ N, 81°49′02″ W; thence southwest to Point 2 in position 24°32′22″ N,