

(1) The maximum weight.  
 (2) Any other weight limits, if necessary.  
 (c) Centre of gravity. The established c.g. limits required by CS-VLA 23 must be furnished.

(d) Manoeuvres. Authorised manoeuvres established in accordance with CS-VLA 3.

(e) Flight load factors. Manoeuvring load factors: the following must be furnished:

(1) The factors corresponding to point A and point C of figure 1 of CS-VLA 333 (b), stated to be applicable at VA.

(2) The factors corresponding to point D and point E of figure 1 of CS-VLA 333 (b) to be applicable at VNE.

(3) The factor with wing flaps extended as specified in CS-VLA 345.

(f) *Kinds of operation.* The kinds of operation (day VFR or day and night VFR, whichever is applicable) in which the aeroplane may be used, must be stated. The minimum equipment required for the operation must be listed.

(g) Powerplant limitations. The following information must be furnished:

(1) Limitation required by CS-VLA 1521.

(2) Information necessary for marking the instruments required by CS-VLA 1549 to 1553.

(3) Fuel and oil designation.

(4) For two-stroke engines, fuel/oil ratio.

(h) Placards. Placards required by CS-VLA 1555 to 1561 must be presented.

#### Information Contact

##### Comments Invited

We invite interested parties to submit comments on the proposed airworthiness standards to the address specified above. Commenters must identify the AQUILA AT01 Model AT01 and submit comments to the address specified above. The FAA will consider all communications received on or before the closing date before issuing the final acceptance. The proposed airworthiness design standards and comments received may be inspected at the FAA, Small Airplane Directorate, Aircraft Certification Service, Standards Office (ACE-110), 901 Locust Street, Room 301, Kansas City, MO 64106, between the hours of 7:30 a.m. and 4:00 p.m. weekdays, except Federal holidays.

Issued in Kansas City, Missouri on May 8, 2013.

#### Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013-12176 Filed 5-30-13; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2013-0459; Directorate Identifier 2013-NM-044-AD]

RIN 2120-AA64

#### Airworthiness Directives; Bombardier, Inc. Airplanes

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for certain Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, & 702) airplanes, Model CL-600-2D15 (Regional Jet Series 705) airplanes, Model CL-600-2D24 (Regional Jet Series 900) airplanes, and Model CL-600-2E25 (Regional Jet Series 1000) airplanes. This proposed AD was prompted by reports of erratic pitch movement and oscillatory behaviors of the elevator control system. This proposed AD would require repetitive replacement of the bellcrank supports on the inner rear spar of the horizontal stabilizer with new, improved bellcrank supports. We are proposing this AD to prevent erratic pitch movement and transient accelerations, which could result in a significant pitch upset, and injuries to passengers and flightcrew.

**DATES:** We must receive comments on this proposed AD by July 15, 2013.

**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 Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. You may review copies of the referenced 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.

#### 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:** Ricardo Garcia, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7331; fax (516) 794-5531.

#### 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-2013-0459; Directorate Identifier 2013-NM-044-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

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF-2013-03, dated February 5, 2013 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

There have been several reported incidents of erratic pitch movements and oscillatory behaviors of the elevator control system. Investigation revealed that, the increase in the elevator breakout force induced by the introduction of a new elevator centering mechanism, in combination with the existing

bracket assembly backlash and bearing friction of the bell crank support, could result in erratic pitch movement and oscillatory behavior of the elevator control system. This condition, if not corrected, could result in pitch upset of the aeroplane that generates transient accelerations. These accelerations could be high enough to injure aeroplane occupants that are not restrained in their seats.

This [TCCA] AD mandates the repetitive replacement of the bellcrank supports with a new bearing.

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

#### Relevant Service Information

Bombardier, Inc. has issued Service Bulletin 670BA-27-064, dated December 11, 2012.

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.

#### Difference Between This Proposed AD and the MCAI or Service Information

The MCAI specifies using "later approved revisions" of the service information when accomplishing the requirements. However, "later approved revisions" must not be used in an AD when referring to the service document because doing so violates Office of the Federal Register (OFR) regulations for approval of materials "incorporated by reference" in rules. Therefore, we have not included "later approved revisions" in this proposed AD. If additional parts are identified in later revisions of the service information, we might consider further rulemaking then.

#### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 400 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. Required parts would cost up to \$2,422 per product. The average labor rate is \$85 per work-hour.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be up to \$1,206,800, or up to \$3,017 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:

**Bombardier, Inc.:** Docket No. FAA-2013-0459; Directorate Identifier 2013-NM-044-AD.

#### (a) Comments Due Date

We must receive comments by July 15, 2013.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to the airplanes specified in paragraphs (c)(1), (c)(2), and (c)(3) of this AD, certificated in any category.

(1) Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, & 702) airplanes, serial numbers 10002 through 10999 inclusive.

(2) Bombardier, Inc. Model CL-600-2D15 (Regional Jet Series 705) and CL-600-2D24 (Regional Jet Series 900) airplanes, serial numbers 15001 through 15990 inclusive.

(3) Bombardier, Inc. Model CL-600-2E25 (Regional Jet Series 1000) airplanes, serial numbers 19001 through 19990 inclusive.

#### (d) Subject

Air Transport Association (ATA) of America Code 27, Flight controls.

#### (e) Reason

This AD was prompted by reports of erratic pitch movements and oscillatory behaviors of the elevator control system. We are issuing this AD to prevent erratic pitch movement and transient accelerations, which could result in a significant pitch upset, and injuries to passengers and flightcrew.

#### (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) Repetitive Replacement of the Bellcrank Supports

For any airplane with bellcrank supports having part numbers AV670-23350-001 (left side) and AV670-23350-002 (right side), on the inner rear spar of the horizontal stabilizer: At the applicable time specified in paragraph (g)(1), (g)(2), (g)(3), or (g)(4) of this AD, replace the affected bellcrank supports with new bellcrank supports, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 670BA-27-064, dated December 11, 2012. Repeat the replacement thereafter at intervals not to exceed 20,000 flight hours.

(1) For airplanes that have, as of the effective date of this AD, accumulated 18,000 total flight hours or less: Replace before the accumulation of 24,600 total flight hours.

(2) For airplanes that have, as of the effective date of this AD, accumulated more than 18,000 total flight hours, but 23,400 total flight hours or less: Replace within 6,600 flight hours after the effective date of this AD.

(3) For airplanes that have, as of the effective date of this AD, accumulated more than 23,400 total flight hours, but 28,500 total flight hours or less: Replace before the accumulation of 30,000 total flight hours.

(4) For airplanes that have, as of the effective date of this AD, accumulated more than 28,500 total flight hours: Within 1,500 flight hours after the effective date of this AD.

#### (h) 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.

#### (i) Related Information

(1) Refer to MCAI Canadian Airworthiness Directive CF-2013-03, dated February 5, 2013; and Bombardier Service Bulletin 670BA-27-064, dated December 11, 2012; for related information.

(2) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crij@aero.bombardier.com](mailto:thd.crij@aero.bombardier.com); Internet <http://www.bombardier.com>. You may review copies of the referenced 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.

Issued in Renton, Washington, on May 22, 2013.

**Jeffrey E. Duven,**

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

[FR Doc. 2013-12897 Filed 5-30-13; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 1150

[Docket No. FDA-2012-N-0920]

RIN 0910-AG81

#### Tobacco Products, User Fees, Requirements for the Submission of Data Needed To Calculate User Fees for Domestic Manufacturers and Importers of Tobacco Products

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Proposed rule.

**SUMMARY:** The Food and Drug Administration (FDA or we) is issuing this proposed rule that would require domestic tobacco product manufacturers and importers to submit information needed to calculate the amount of user fees assessed under the Federal Food, Drug, and Cosmetic Act (the FD&C Act). The United States Department of Agriculture (USDA) has been collecting this information and providing FDA with the data FDA needs to calculate the amount of user fees assessed to tobacco product manufacturers and importers. USDA intends to cease collecting this information starting in fiscal year 2015 (October 2014). Consistent with the requirements of the FD&C Act, we are proposing to require the submission of this information to FDA instead of USDA. We are taking this action to ensure that FDA continues to have the information we need to calculate, assess, and collect user fees.

**DATES:** Submit either electronic or written comments on the proposed rule by August 14, 2013. Submit comments on information collection issues under the Paperwork Reduction Act of 1995 by July 1, 2013 (see the "Paperwork Reduction Act of 1995" section of this document).

**ADDRESSES:** You may submit comments, identified by Docket No. FDA-2012-N-0920 and/or Regulatory Information Number (RIN) 0910-AG81, by any of the following methods, except that comments on information collection issues under the Paperwork Reduction Act of 1995 (the PRA) must be submitted to the Office of Regulatory Affairs, Office of Management and Budget (OMB) (see the "Paperwork Reduction Act of 1995" section of this document).

#### Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

#### Written Submissions

Submit written submissions in the following ways:

- *Fax:* 301-827-6870.
- *Mail/Hand Delivery/Courier* (for paper, disk, or CD-ROM submissions): Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

*Instructions:* All submissions received must include the Agency name and Docket No(s). and RIN for this rulemaking. All comments received may be posted without change to <http://www.regulations.gov>, including any personal information provided. For additional information on submitting comments, see the "Comments" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> and insert the docket number(s), found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Division of Dockets Management, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Nancy Boocker or Annette Marthaler, Center for Tobacco Products, Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850-3229, 877-287-1373. [Nancy.Boocker@fda.hhs.gov](mailto:Nancy.Boocker@fda.hhs.gov) or [Annette.Marthaler@fda.hhs.gov](mailto:Annette.Marthaler@fda.hhs.gov).

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents

- I. Background
  - A. Two-Step Process To Calculate Quarterly Assessments
  - B. Specific Considerations and Processes for User Fees Under Section 919 of the FD&C Act
- II. Description of the Proposed Rule
  - A. General Principles
  - B. Scope and Definitions
  - C. Required Information
  - D. Methodology
  - E. Notification of Assessments
  - F. Payments
  - G. Disputes
  - H. Penalties
- III. Effective Date
- IV. Legal Authority
- V. Environmental Impact
- VI. Analysis of Impacts
  - A. Introduction
  - B. Baseline
  - C. Number of Affected Entities