

complete and accurate information as would a licensee or an applicant for a license.”

**DATES:** Submit comments by August 26, 2013. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date.

**ADDRESSES:** You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2013–0077. Address questions about NRC dockets to Carol Gallagher; telephone: 301–492–3668; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Email comments to:* [Rulemaking.Comments@nrc.gov](mailto:Rulemaking.Comments@nrc.gov). If you do not receive an automatic email reply confirming receipt, then contact us at 301–415–1677.

- *Fax comments to:* Secretary, U.S. Nuclear Regulatory Commission at 301–415–1101.

- *Mail comments to:* Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Rulemakings and Adjudications Staff.

- *Hand deliver comments to:* 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. (Eastern Time) Federal workdays; telephone: 301–415–1677.

For additional direction on accessing information and submitting comments, see “Accessing Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Manash Bagchi, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2905, email: [Manash.Bagchi@nrc.gov](mailto:Manash.Bagchi@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**Accessing Information and Submitting Comments**

*A. Accessing Information*

Please refer to Docket ID NRC–2013–0077 when contacting the NRC about the availability of information for this petition for rulemaking. You may access information related to this petition for rulemaking, which the NRC possesses and is publicly available, by any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2013–0077.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “ADAMS Public Documents” and then select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *NRC’s PDR:* You may examine and purchase copies of public documents at the NRC’s PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

*B. Submitting Comments*

Please include Docket ID NRC–2013–0077 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

**The Petition**

The NRC has received a PRM (ADAMS Accession No. ML13113A443) requesting the NRC to revise its regulations at §§ 50.1, 50.9, 52.0, and 52.6 of Title 10 of the *Code of Federal Regulations* to expand its “regulatory framework to make it a legal obligation for those non-licensees who seek NRC

regulatory approvals be held to the same legal standards for the submittal of complete and accurate information as would a licensee or an applicant for a license.”

**The Petitioner**

James Lieberman is a regulatory and nuclear safety consultant. The petition states that Mr. Lieberman is submitting the petition “based on [his] own experiences as a former NRC employee and a consultant in the nuclear industry.” The petition further states that James Lieberman was involved in the development of both the NRC rule on completeness and accuracy of information and the NRC rule on deliberate misconduct. The petition notes that Mr. Lieberman’s interest is that “the NRC should have a regulatory framework that requires persons who seek NRC approval on regulatory matters to have a legal obligation to provide materially complete and accurate information and be subject to sanction for failure to meet those requirements.”

**Request for Comment**

The NRC has determined that the petition meets the threshold sufficiency requirements for a petition for rulemaking under § 2.802, “Petition for rulemaking,” and the petition has been docketed as PRM–50–107. The full text of the incoming petition is available at [www.regulations.gov](http://www.regulations.gov) by searching on Docket ID NRC–2013–0077 and in ADAMS under Accession No. ML13113A443. The NRC is requesting public comments on the petition for rulemaking.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 5th day of June 2013.

**Richard J. Laufer,**

*Acting Secretary of the Commission.*

[FR Doc. 2013–13684 Filed 6–7–13; 8:45 am]

**BILLING CODE 7590–01–P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA–2013–0407; Directorate Identifier 2012–NE–22–AD]

**RIN 2120–AA64**

**Airworthiness Directives; CFM International S.A. Turbofan Engines**

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all CFM56-3 and CFM56-7B series turbofan engines with certain accessory gearboxes (AGBs) not equipped with a handcranking pad “oil dynamic seal” assembly. This proposed AD was prompted by 42 events of total loss of engine oil from CFM56 series turbofan engines while in flight. This proposed AD would require an independent inspection to verify re-installation of the handcranking pad cover after removal of the pad cover for maintenance until installation of a handcranking pad oil dynamic seal assembly. This inspection requirement exceeds normal maintenance and is necessary due to the design and location of the handcranking pad cover on the accessory gear box. We are proposing this AD to prevent loss of engine oil while in flight, which could result in engine failure, loss of thrust control, and damage to the airplane.

**DATES:** We must receive comments on this proposed AD by August 9, 2013.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, 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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility 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 Office (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Antonio Cancelliere, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, Massachusetts, 01803;

phone: 781-238-7751; fax: 781-238-7199; email: [antonio.cancelliere@faa.gov](mailto:antonio.cancelliere@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2013-0407; Directorate Identifier 2012-NE-22-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 because of 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

We have received reports of 42 incidents of total loss of engine oil from engines while in flight. Thirty-four incidents were single-engine events and resulted in an in-flight shutdown of the engine or an air turnback (ATB). Four incidents involved total loss of engine oil in both engines installed on dual-engine airplanes, which caused an immediate ATB of the airplane. The loss of engine oil was traced to the AGB handcranking pad cover, which had not been reinstalled after maintenance, for example, after a borescope inspection of the engine.

This proposed AD would require an independent inspection of the AGB handcranking pad cover to verify its re-installation after removal. This inspection requirement exceeds normal maintenance and is necessary due to the design and location of the handcranking pad on the AGB. If an operator’s approved maintenance program includes an independent inspection of the AGB handcranking pad cover after removal then compliance with those procedures will constitute compliance to the inspection requirements of the AD. This condition, if not corrected, could result in loss of engine oil in flight, which could lead to engine failure, loss of thrust control, and damage to the airplane.

##### FAA’s Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition

described previously is likely to exist or develop in other products of the same type design.

##### Proposed AD Requirements

This proposed AD would require an independent inspection to verify correct installation of the handcranking pad cover after removal of the pad cover for maintenance. Introduction of a handcranking pad oil dynamic seal is available as an optional terminating action to the repetitive inspection requirements of this AD.

##### Costs of Compliance

We estimate that this proposed AD would affect 2,702 CFM56-3 and CFM56-7B engines installed on airplanes of U.S. registry. We also estimate that it would take about 1 hour to perform the independent inspection required by this AD. The average labor rate is \$85 per hour. We estimate that normal maintenance will require the AGB handcranking pad cover to be removed every 1,300 flights cycles. Based on an average use of these model engines of approximately 6,000,000 flight cycles per year, we estimate that an independent inspection would be required approximately 4,615 times per year. Therefore, assuming that an operator does not already have an independent inspection of the AGB handcranking pad cover in its approved maintenance program, we estimate the cost of the proposed AD for U.S. operators to be \$392,275.

##### 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 to the extent that it justifies making a regulatory distinction, 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.

**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 airworthiness directive (AD):

**CFM International S.A.:** Docket No. FAA–2013–0407; Directorate Identifier 2012–NE–22–AD.

**(a) Comments Due Date**

We must receive comments by August 9, 2013.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to CFM International S.A. CFM56–3 series and CFM56–7B series turbofan engines equipped with the accessory gearbox (AGB) part numbers (P/Ns) listed in Table 1 to paragraph (c) of this AD.

TABLE 1 TO PARAGRAPH (C)

CFM56–3	CFM56–7B (except CFM56–7B27A, CFM56–7B27A/3, and CFM56–7B27AE)	CFM56–7B27A, CFM56–7B27A/3, and CFM56–7B27AE
335–300–103–0	340–046–503–0	340–188–601–0
335–300–105–0	340–046–504–0	340–188–603–0
335–300–106–0	340–046–505–0	
335–300–107–0		
335–300–108–0		
335–300–109–0		
335–300–110–0		

**(d) Unsafe Condition**

This AD was prompted by 42 events of total loss of engine oil while in flight. We are issuing this AD to prevent loss of engine oil while in flight, which could result in engine failure, loss of thrust control, and damage to the airplane.

**(e) Compliance**

Unless already done, do the following:

**(f) Inspection of the AGB handcranking pad cover**

- (1) Perform an independent inspection to verify re-installation of the AGB handcranking pad cover after maintenance.
- (2) The presence of an independent inspection as a required inspection item in the approved continuous airworthiness maintenance program satisfies the requirement of paragraph (f)(1) of this AD.

**(g) Optional Terminating Action**

- (1) As an optional terminating action to the inspection requirement of paragraph (f) of this AD, do the following:
  - (i) For CFM56–3 series engine models, modify the AGB handcranking pad per Paragraph 3, “Accomplishment Instructions” in CFM International Service Bulletin (SB) 72–1129, Revision 2, dated November 16, 2012.
  - (ii) For CFM56–7B series engine models, with the exception of the models listed in paragraph (g)(2), modify the AGB

handcranking pad per Paragraph 3, “Accomplishment Instructions” in CFM International SB 72–0564, Revision 3, dated May 25, 2011 or Paragraph 3, “Accomplishment Instructions” in CFM International SB 72–0879, Revision 1, dated April 12, 2012.

(2) No terminating action is available at this date for engine models CFM56–7B27A, CFM56–7B27A/3, and CFM56–7B27AE, equipped with AGB P/N 340–188–601–0 and AGB P/N 340–188–603–0.

**(h) Definition**

For the purposes of this AD, an independent inspection means a second inspection by a qualified individual who was not involved in the original re-installation of the AGB handcranking pad cover following maintenance to confirm that the cover is installed correctly.

**(i) Alternative Methods of Compliance (AMOCs)**

The Manager, Engine Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request.

**(j) Related Information**

(1) For more information about this AD, contact Antonio Cancelliere, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, Massachusetts, 01803; phone: 781–238–7751;

fax: 781–238–7199; email: [antonio.cancelliere@faa.gov](mailto:antonio.cancelliere@faa.gov).

(2) For service information identified in this proposed AD, contact CFM International Inc., Aviation Operations Center, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45125; USA phone: 877–432–3272; USA fax: 877–432–3329; International phone: 1–513–552–3272; International fax: 1–513–552–3329; email: [geae.aoc@ge.com](mailto:geae.aoc@ge.com); or CFM International SA, Customer Support Center, International phone: 33 1 64 14 88 66; fax: 33 1 64 79 85 55; email: [snecma.csc@snecma.fr](mailto:snecma.csc@snecma.fr).

(3) You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on May 24, 2013.

**Thomas A. Boudreau,**

Acting Directorate, Assistant Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2013–13721 Filed 6–7–13; 8:45 am]

**BILLING CODE 4910–13–P**