

the Manager, International Branch, ANM-116; or EASA (or its delegated agent).

(3) Where Paragraph 1.E., "Compliance," of Airbus Mandatory Service Bulletin A310-57-2082, Revision 03, dated November 15, 2010, specifies to contact Airbus for inspection intervals, this AD requires using an inspection interval approved by either the Manager, International Branch, ANM-116; or EASA (or its delegated agent).

**(n) Credit for Previous Actions**

(1) This paragraph provides credit for the actions required by paragraphs (k) and (l) of this AD, if those actions were performed before the effective date of this AD using the service information specified in paragraph (n)(1)(i), (n)(1)(ii), or (n)(1)(iii) of this AD.

(i) Airbus Service Bulletin A310-57-2082, dated June 11, 2002.

(ii) Airbus Service Bulletin A310-57-2082, Revision 01, dated August 22, 2003, which is not incorporated by reference in this AD.

(iii) Airbus Mandatory Service Bulletin A310-57-2082, Revision 02, dated October 17, 2008, which is not incorporated by reference in this AD.

(2) This paragraph provides credit for the modification of the landing plate of the aileron access doors of the wing bottom skin panel No. 2 of the left and right wings required by paragraph (j) of this AD, if those actions were performed before the effective date of this AD using the service information specified in paragraph (n)(2)(i) or (n)(2)(ii) of this AD (which is not incorporated by reference in this AD), except where this service information specifies contacting the manufacturer for disposition of certain repair conditions that might be associated with the modification procedure, this AD requires that the repair be done in accordance with a method approved by either the Manager, International Branch, ANM-116; or the EASA (or its delegated agent).

(i) Airbus Service Bulletin A310-57-2081, Revision 01, dated February 26, 2003, which is not incorporated by reference in this AD.

(ii) Airbus Service Bulletin A310-57-2081, Revision 02, dated October 18, 2007, which is not incorporated by reference in this AD.

**(o) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Branch, ANM-116, 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, WA 98057-3356; telephone (425) 227-2125; fax (425) 227-1149. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto: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.

(3) *Previously Approved AMOCs*: AMOCs approved previously in accordance with AD 2004-15-07, Amendment 39-13741 (69 FR 44592, July 27, 2004), are approved as AMOCs for the corresponding provisions of this AD.

**(p) Related Information**

(1) Refer to MCAI EASA Airworthiness Directive 2011-0125, dated June 30, 2011, for related information.

(2) Service information identified in this AD that is not incorporated by reference may be obtained at the address specified in paragraphs (q)(5) and (q)(6) of this AD.

**(q) 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.

(3) The following service information was approved for IBR on September 20, 2013.

(i) Airbus Mandatory Service Bulletin A310-57-2082, Revision 03, dated November 15, 2010.

(ii) Airbus Repair Instruction R573-49237, Revision D, dated July 16, 2003.

(iii) Airbus Repair Instruction R573-49243, Revision C, dated July 16, 2003.

(iv) Airbus Service Bulletin A310-57-2081, Revision 03, dated October 13, 2010.

(4) The following service information was approved for IBR on August 31, 2004 (69 FR 44592, July 27, 2004).

(i) Airbus Service Bulletin A310-57-2081, dated June 11, 2002.

(ii) Airbus Service Bulletin A310-57-2082, dated June 11, 2002.

(5) For 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 36 96; fax +33 5 61 93 44 51; email [account.airworth-eas@airbus.com](mailto:account.airworth-eas@airbus.com); Internet <http://www.airbus.com>.

(6) 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.

(7) 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 July 22, 2013.

**Stephen P. Boyd,**

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

[FR Doc. 2013-19862 Filed 8-15-13; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG-2013-0291]

**RIN 1625-AA09**

**Drawbridge Operation Regulation; Taunton River, Fall River and Somerset, MA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard has changed the drawbridge operation regulations that govern the operation of the Veterans Memorial Bridge across the Taunton River, mile 2.1, between Fall River and Somerset, Massachusetts. The bridge owner, Massachusetts Department of Transportation, submitted a request to reduce the hours the bridge is crewed based upon infrequent requests to open the draw. It is expected that this change to the regulations will provide relief to the bridge owner from crewing the bridge while continuing to meet the reasonable needs of navigation.

**DATES:** This rule is effective September 16, 2013.

**ADDRESSES:** Documents mentioned in this preamble are part of docket USCG-2013-0291. To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type in the docket number in the "Search." Box and click "SEARCH." Click Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Mr. John W. McDonald, Project Officer, First Coast Guard District Bridge Branch, 617-223-8364, [john.w.mcdonald@uscg.mil](mailto:john.w.mcdonald@uscg.mil). If you have questions on viewing the docket, call

Barbara Hairston, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

### A. Regulatory History and Information

On May 24, 2013, we published a notice of proposed rulemaking (NPRM) entitled, "Drawbridge Operation Regulation: Taunton River, Fall River and Somerset, MA" in the **Federal Register** (78 FR 31457). We received no comments on the proposed rule. No public meeting was requested, and none was held.

### B. Basis and Purpose

The Veterans Memorial Bridge at mile 2.1, across the Taunton River between Somerset and Fall River, Massachusetts, has a vertical clearance of 60 feet at mean high water and 66 feet at mean low water. The horizontal clearance is 200 feet between the bridge protective fenders. The drawbridge operation regulations are listed at 33 CFR 117.5.

The waterway users are predominantly seasonal recreational vessels.

The Veterans Memorial Bridge is a double leaf bascule highway bridge opened to traffic in 2011, at mile 2.1, upstream from the existing Brightman Street Route 6 highway bridge at mile 1.8, across the Taunton River.

The owner of the bridge, Massachusetts Department of Transportation, submitted a request to the Coast Guard to change the drawbridge operating regulations that presently require the draw to be crewed twenty four hours a day and open on signal at all times.

Under this final rule the draw will open on signal between 7 a.m. and 3 p.m., and from 3 p.m. through 7 a.m. the draw would open on signal after at least a two hour advance notice is given by calling the number posted at the bridge. As explained in the NPRM, this decision was based on the few requests to open the bridge the past two years and the high vertical clearance.

### C. Discussion of Comments, Changes and the Final Rule

The Coast Guard received no comments in response to the notice of proposed rulemaking. As a result, no changes have been made to this final rule.

### D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 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, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. This conclusion is based on the fact that this bridge will still open for all vessel traffic at all times provided the advance notice is given 3 p.m. to 7 a.m. by calling the number posted at the bridge.

#### 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 would affect the following entities, some of which might be small entities: the owners or operators of vessels needing to transit through the bridge.

This action will not have a significant economic impact on a substantial number of small entities for the following reasons: The bridge will continue to open on signal from 7 a.m. to 3 p.m. and from 3 p.m. to 7 a.m. after a two hour advance notice is given. Additionally, the bridge has a vertical clearance of 60 feet at mean high water and 66 feet at mean low water which allows many vessels to pass through the bridge without a need for an opening.

#### 3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this rule, if the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions

annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### 4. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

#### 5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

#### 6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **"FOR FURTHER INFORMATION CONTACT"** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

#### 7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### 8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### 9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a "significant energy action" under Executive Order 13211, Actions Concerns Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule simply promulgates the operating regulations or

procedures for drawbridges. This rule is categorically excluded, under figure 2-1, paragraph (32)(e), of the Instruction.

Under figure 2-1, paragraph (32)(e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

List of Subjects in 33 CFR Part 117

Bridges

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 0170.1.

■ 2. In § 117.619, add paragraph (f) to read as follows:

§ 117.619 Taunton River.

\* \* \* \* \*

(f) The draw of the Veterans Memorial Bridge, mile 2.1, across the Taunton River between Fall River and Somerset, shall operate as follows:

(1) From 7 a.m. through 3 p.m. the draw shall open on signal.

(2) From 3 p.m. through 7 a.m. the draw shall open on signal provided a two hour advance notice is given by calling the number posted at the bridge.

Dated: July 29, 2013.

D.B. Abel,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

[FR Doc. 2013-19980 Filed 8-15-13; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2013-0684]

Drawbridge Operation Regulation; Elizabeth River, Eastern Branch, Norfolk, VA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the draw of the Norfolk Southern #5 Railroad Bridge, across the Elizabeth River Eastern Branch, mile 1.1, at Norfolk, VA. This

deviation is necessary to facilitate replacing the broken tread plates and shimming the remaining tread plates to the proper elevation on the Norfolk Southern #5 Railroad drawbridge. There are a total of 10 tread plates that need to be replaced. This temporary deviation allows the drawbridge to remain in the closed to navigation position.

DATES: This deviation is effective from 10 a.m. on August 19, 2013 to 6 p.m. August 30, 2013.

ADDRESSES: The docket for this deviation, [USCG-2013-0684] is available at http://www.regulations.gov. Type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mrs. Kashanda Booker, Bridge Administration Branch Fifth District, Coast Guard; telephone (757) 398-6227, email Kashanda.l.booker@uscg.mil. If you have questions on reviewing the docket, call Barbara Hairston, Program Manager, Docket Operations, 202-366-9826.

SUPPLEMENTARY INFORMATION: The Norfolk Southern Corporation, who owns and operates this drawbridge, has requested a temporary deviation from the current operating regulation set out in 33 CFR 117.5 to facilitate thermite welding on the rails.

Under the regular operating schedule, the Norfolk Southern #5 Railroad Bridge, mile 1.1, in Norfolk, VA, the draw must open promptly and fully for the passage of vessels when a request or signal to open is given. The draw normally is maintained in open-to-navigation position and only closes for train crossings or periodic maintenance. The Norfolk Southern #5 railroad Bridge, at mile 1.1, across the Elizabeth River (Eastern Branch) in Norfolk, VA, has a vertical clearance in the closed position to vessels of 6 feet above mean high water.

Under this temporary deviation, the drawbridge will be maintained in the closed to navigation position each day, from 10 a.m. to 6 p.m., on August 19, 2013 until August 30, 2013. At all other times, the drawbridge will operate under its normal operating schedule. The drawbridge normally is maintained in the open-to-navigation position with