

Airworthiness to incorporate AWL No. 28-AWL-21, No. 28-AWL-22, and No. 28-AWL-24 (for Model 737-600, -700, -700C, -800, and -900 series airplanes); and No. 28-AWL-23, No. 28-AWL-24, and No. 28-AWL-25 (for Model 757-200, -200PF, -200CB, and -300 series airplanes). AD 2008-06-03 resulted from fuel system reviews conducted by the manufacturer. The proposed actions were intended to prevent an unsafe condition from being introduced on airplanes affected by AD 2008-06-03.

Comments

We gave the public the opportunity to participate in considering the proposal (77 FR 51722, August 27, 2012) to rescind AD 2008-03-03, Amendment 39-15415 (73 FR 13081, March 12, 2008). The following presents relevant comments received on the proposal and the FAA's response to those comments.

Requests To Clarify "Different Unsafe Condition"

FedEx, American Airlines, and Boeing requested clarification of the different unsafe condition introduced by the actions required by AD 2008-06-03, Amendment 39-15415 (73 FR 13081, March 12, 2008). Boeing also stated that the NPRM (77 FR 51722, August 27, 2012) does not indicate if the different unsafe condition is applicable to all actuator locations required by AD 2008-06-03.

We agree that clarification of the different unsafe condition is necessary. AD 2008-06-03, Amendment 39-15415 (73 FR 13081, March 12, 2008), addresses the potential for an electrical current to flow through certain motor-operated shutoff valve actuators into the fuel tank. The new motor-operator valve (MOV) actuators are required by AD 2008-06-03 for three locations on Model 737 airplanes and six or seven locations on Model 757 airplanes (depending on configuration); and that AD addresses an unsafe condition related to Special Federal Aviation Regulation No. 88 ("SFAR 88" (66 FR 23086, May 7, 2001), Amendment 21-78, and subsequent Amendments 21-82 and 21-83).

However, the new motor-operated shutoff valve actuators have been found to have a risk of latent failure. At two of the locations on Model 737 airplanes and at three locations on Model 757 airplanes, this actuator failure could result in a different unsafe condition—i.e., an inability to shut off fuel flow to an auxiliary power unit (APU) (on Model 757 airplanes only) or engine during an engine fire. This latent failure is not a safety risk in the other three to four locations.

We have determined that AD 2008-06-03, Amendment 39-15415 (73 FR 13081, March 12, 2008), should not be rescinded, but should continue to require actions that address SFAR 88-related safety. Because AD 2008-06-03 does address a significant safety risk, it is not in the interest of safety to rescind that AD. For the new MOV actuators, we are considering further rulemaking to address the certain locations where a latent failure of the actuator could result in a failure to shut off fuel flow during an engine fire.

Request To Extend Compliance Time

Allegiant Air supported the proposed rescission (77 FR 62833, August 27, 2012) and requested that, if the FAA decided not to adopt the rescission, the FAA provide an extension of the compliance time required by AD 2008-06-03, Amendment 39-15415 (73 FR 13081, March 12, 2008), by using a "global" alternative method of compliance (AMOC). Allegiant Air stated that the proposed rescission has brought uncertainty to operators of the affected Model 737 and 757 airplanes. We infer the subject of the uncertainty involves an operator still needing to schedule time to do the required actions prior to the compliance time required in AD 2008-06-03.

We disagree. We have not received any AMOC requests to extend the compliance time. We also have not received justification to extend an AMOC to all the airplanes affected by AD 2008-06-03, Amendment 39-15415 (73 FR 13081, March 12, 2008). However, under the provisions of paragraph (i) of AD 2008-06-03, we will consider individual operator requests for approval of an extension of the compliance time if sufficient data are submitted to substantiate that the new compliance time would provide an acceptable level of safety. We have determined that no change to AD 2008-06-03 is necessary.

FAA's Conclusions

Upon further consideration, we have determined that the NPRM (77 FR 51722, August 27, 2012) does not adequately address the safety concern. Accordingly, the NPRM is withdrawn.

Withdrawal of the NPRM (77 FR 51722, August 27, 2012) does not preclude the FAA from issuing another related action nor commit the FAA to any course of action in the future.

Regulatory Impact

Since this action only withdraws an NPRM (77 FR 51722, August 27, 2012), it is neither a proposed nor a final rule and therefore is not covered under

Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Withdrawal

Accordingly, we withdraw the NPRM, Docket No. FAA-2012-0859, Directorate Identifier 2012-NM-090-AD, which was published in the **Federal Register** on August 27, 2012 (77 FR 51722).

Issued in Renton, Washington, on September 5, 2013.

Jeffrey E. Duven,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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FEDERAL TRADE COMMISSION

16 CFR Part 312

RIN 3084-AB20

Children's Online Privacy Protection Rule Proposed Parental Consent Method; Imperium, LLC Application for Approval of Parental Consent Method

AGENCY: Federal Trade Commission (FTC or Commission).

ACTION: Request for public comment.

SUMMARY: The Federal Trade Commission requests public comment concerning the proposed parental consent method submitted by Imperium, LLC ("Imperium") under the Voluntary Commission Approval Processes provision of the Children's Online Privacy Protection Rule.

DATES: Written comments must be received on or before October 9, 2013.

ADDRESSES: Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write "Imperium Application for Parental Consent Method, Project No. P-135419" on your comment, and file your comment online at <https://ftcpublish.commentworks.com/ftc/pmcoppaimperiumapp>, by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex E), 600 Pennsylvania Avenue NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT:

Kandi Parsons, Attorney, (202) 326–2369, or Peder Magee, Attorney, (202) 326–3538, Division of Privacy and Identity Protection, Federal Trade Commission, Washington, DC 20580.

SUPPLEMENTARY INFORMATION:**Section A. Background**

On October 20, 1999, the Commission issued its final Rule¹ pursuant to the Children’s Online Privacy Protection Act, 15 U.S.C. 6501 *et seq.*, which became effective on April 21, 2000.² On December 19, 2012, the Commission amended the Rule, and these amendments became effective on July 1, 2013.³ The Rule requires certain Web site operators to post privacy policies and provide notice, and to obtain verifiable parental consent, prior to collecting, using, or disclosing personal information from children under the age of 13. The Rule enumerates methods for obtaining verifiable parental consent, while also allowing an interested party to file a written request for Commission approval of parental consent methods not currently enumerated.⁴ To be considered, the party must submit a detailed description of the proposed parental consent method, together with an analysis of how the method meets the requirements for parental consent described in 16 CFR 312.5(b)(1).

Pursuant to Section 312.12(a) of the Rule, Imperium has submitted a proposed parental consent method to the Commission for approval. The full text of its application is available on the Commission’s Web site at www.ftc.gov.

Section B. Questions on the Parental Consent Method

The Commission is seeking comment on the proposed parental consent method, and is particularly interested in receiving comment on the questions that follow. These questions are designed to assist the Commission’s consideration of the petition and should not be construed as a limitation on the issues on which public comment may be submitted. Responses to these questions should cite the number of the question being answered. For all comments submitted, please provide any relevant data, statistics, or any other evidence, upon which those comments are based.

1. Is this method already covered by existing methods enumerated in Section 312.5(b)(1) of the Rule?

2. If this is a new method, provide comments on whether the proposed

parental consent method meets the requirements for parental consent laid out in 16 CFR 312.5(b)(1). Specifically, the Commission is looking for comments on whether the proposed parental consent method is reasonably calculated, in light of available technology, to ensure that the person providing consent is the child’s parent.

3. Does this proposed method pose a risk to consumers’ personal information? If so, is that risk outweighed by the benefit to consumers and businesses of using this method?

Section C. Invitation To Comment

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before October 9, 2013. Write “Imperium Application for Parental Consent Method, Project No. P–135419” on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the Commission Web site, at <http://www.ftc.gov/os/publiccomments.shtm>. As a matter of discretion, the Commission tries to remove individuals’ home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment doesn’t include any sensitive personal information, such as Social Security number, date of birth, driver’s license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment doesn’t include any sensitive health information, including medical records or other individually identifiable health information. In addition, do not include any “[t]rade secret or any commercial or financial information which is . . . privileged or confidential,” as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and follow the procedure explained in FTC

Rule 4.9(c), 16 CFR 4.9(c).⁵ Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublishcommentworks.com/ftc/pmcoppaimperiumapp>, by following the instructions on the web-based form. If this Notice appears at <http://www.regulations.gov/#!home>, you also may file a comment through that Web site.

If you file your comment on paper, write “Imperium Application for Parental Consent Method, Project No. P–135419” on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H–113 (Annex E), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at <http://www.ftc.gov> to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before October 9, 2013. You can find more information, including routine uses permitted by the Privacy Act, in the Commission’s privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

By direction of the Commission.

Donald S. Clark,

Secretary.

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⁵ In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c), 16 CFR 4.9(c).

¹ 64 FR 59888 (1999).

² 16 CFR Part 312.

³ 78 FR 3972 (2013).

⁴ 16 CFR 312.12(a); 78 FR at 3991–3992, 4013.