

111(e)(2) of the Dodd-Frank Act, which authorizes the Council to adopt such rules as may be necessary for the conduct of the business of the Council, and states that such rules shall be rules of agency organization, procedure, or practice for purposes of section 553 of title 5, United States Code. This new section is a rule of agency procedure, and is therefore not subject to the requirement to provide public notice and an opportunity to comment under the Administrative Procedure Act.<sup>1</sup> As a result, the Council is adopting it in final form. Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

Contemporaneous with the publication of this final rule, the Council is separately publishing proposed interpretive guidance that would replace the 2012 Interpretive Guidance. That proposal includes a request for public comment.

## II. Amendment to 12 CFR Part 1310

In order to promote the Council's engagement with market participants and other interested parties, the Council is adding a new section to the rules referenced above, stating that the Council shall not amend or rescind the interpretive guidance set forth in appendix A to the rules without providing the public with notice and an opportunity to comment under the Administrative Procedure Act.

### List of Subjects in 12 CFR Part 1310

Brokers, Investments, Securities.

In accordance with the foregoing, the Council amends 12 CFR part 1310 as follows:

### PART 1310—AUTHORITY TO REQUIRE SUPERVISION AND REGULATION OF CERTAIN NONBANK FINANCIAL COMPANIES

- 1. The authority citation for part 1310 continues to read as follows:

**Authority:** 12 U.S.C. 5321; 12 U.S.C. 5322; 12 U.S.C. 5323.

- 2. Add § 1310.3 to read as follows:

#### § 1310.3 Amendments.

The Council shall not amend or rescind appendix A to this part without providing the public with notice and an opportunity to comment in accordance with the procedures applicable to legislative rules under 5 U.S.C. 553.

Dated: March 6, 2019.

**Bimal Patel,**

*Deputy Assistant Secretary for the Financial Stability Oversight Council, Department of the Treasury.*

[FR Doc. 2019-04487 Filed 3-12-19; 8:45 am]

**BILLING CODE 4810-25-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2018-0991; Product Identifier 2017-SW-050-AD; Amendment 39-19586; AD 2019-05-04]**

**RIN 2120-AA64**

#### **Airworthiness Directives; MD Helicopters, Inc. (MDHI), Helicopters**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for MDHI Model 369A, 369D, 369E, 369FF, 369H, 369HE, 369HM, 369HS, 500N, and 600N helicopters. This AD requires inspecting each main rotor blade (MRB) for a crack. This AD was prompted by reports of cracked MRBs. The actions of this AD are intended to address an unsafe condition on these helicopters.

**DATES:** This AD is effective April 17, 2019.

**ADDRESSES:** For Helicopter Technology Company, LLC, service information identified in this final rule, contact Helicopter Technology Company, LLC, 12902 South Broadway, Los Angeles, CA 90061; telephone (310) 523-2750; or at [www.helicoptertech.com](http://www.helicoptertech.com). For MD Helicopters service information identified in this final rule, contact MD Helicopters, Inc., Attn: Customer Support Division, 4555 E. McDowell Rd., Mail Stop M615, Mesa, AZ 85215-9734; telephone 1-800-388-3378; fax 480-346-6813; or at <http://www.mdhelicopters.com>. You may review a copy of the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy, Room 6N-321, Fort Worth, TX 76177.

#### Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0991; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the

economic evaluation, any comments received, and other information. The street address for Docket Operations (phone: 800-647-5527) is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

#### FOR FURTHER INFORMATION CONTACT:

Galib Abumeri, Aviation Safety Engineer, Los Angeles ACO Branch, Compliance & Airworthiness Division, FAA, 3960 Paramount Blvd., Lakewood, CA 90712; telephone (562) 627-5374; email [galib.abumeri@faa.gov](mailto:galib.abumeri@faa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Discussion

On November 26, 2018, at 83 FR 60376, the **Federal Register** published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 by adding an AD that would apply to MDHI Model 369A, 369D, 369E, 369FF, 369H, 369HE, 369HM, 369HS, 500N, and 600N helicopters with a Helicopter Technology Company, LLC (HTC), MRB part number 369A1100, 369D21100, 369D21102, 369D21120, 369D21121, 369D21123, 500P2100, or 500P2300 installed. The NPRM was prompted by reports of two operators finding cracks on an HTC-manufactured MRB and proposed to require repetitively inspecting each MRB trim tab for a crack. The proposed requirements were intended to prevent failure of an MRB and subsequent loss of control of the helicopter.

In the "Costs of Compliance" section, the NPRM stated an incorrect number of U.S.-registered helicopters affected by this AD and subsequently, an incorrect estimated cost of the inspection for the U.S. fleet. We have corrected the cost information in this Final rule.

#### Comments

We gave the public the opportunity to participate in developing this AD, but we did not receive any comments on the NPRM.

#### FAA's Determination

We have reviewed the relevant information and determined that an unsafe condition exists and is likely to exist or develop on other products of these same type designs and that air safety and the public interest require adopting the AD requirements as proposed.

#### Related Service Information

We reviewed HTC Mandatory Service Bulletin Notice No. 2100-9, dated May 25, 2017 (SB 2100-9), which contains

<sup>1</sup> See 5 U.S.C. 553(b)(A).

procedures for inspecting each MRB for a crack in an area adjacent to the inboard edge of the MRB trim tab.

We also reviewed MD Helicopters Service Bulletin No. SB369D-221, SB369E-119, SB369F-106, SB369H-257, SB500N-057, and SB600N-069, each dated April 2, 2018. This service information specifies inspecting the MRBs for cracks near the trim tab by following the instructions in SB 2100-9.

#### Differences Between This AD and the Service Information

The service information specifies procedures for inspecting each MRB for nicks, gouges, and scratches. This AD does not, as the unsafe condition concerns a crack in the MRB.

#### Costs of Compliance

We estimate that this AD affects 730 helicopters of U.S. Registry. We estimate that operators may incur the following costs in order to comply with this AD. Labor costs are estimated at \$85 per work-hour.

Inspecting one MRB requires about 0.1 work-hour, for an estimated cost per helicopter of \$43 for the 705 MDHI Model 369-series and 500N helicopters (5 MRBs), \$51 for the 25 MDHI Model 600N helicopters (6 MRBs), and a total estimated cost of \$31,590 for the U.S. fleet per inspection cycle.

If required, replacing one MRB requires about 3 work-hours and parts cost about \$13,000 for a total estimated cost of \$13,255 per MRB.

#### 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

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 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 an economic evaluation of the estimated costs to comply with this 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.

#### Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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):

##### 2019-05-04 MD Helicopters, Inc.:

Amendment 39-19586; Docket No. FAA-2018-0991; Product Identifier 2017-SW-050-AD.

#### (a) Applicability

This AD applies to MD Helicopters, Inc., Model 369A, 369D, 369E, 369FF, 369H, 369HE, 369HM, 369HS, 500N, and 600N helicopters, certificated in any category, with a main rotor blade (MRB) part number 369A1100, 369D21100, 369D21102, 369D21120, 369D21121, 369D21123, 500P2100, or 500P2300, all dash numbers, installed.

#### (b) Unsafe Condition

This AD defines the unsafe condition as a crack in an MRB. This condition could result in failure of the MRB and subsequent loss of control of the helicopter.

#### (c) Effective Date

This AD becomes effective April 17, 2019.

#### (d) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

#### (e) Required Actions

Within 25 hours time-in-service, and thereafter at each 100-hour inspection or annual inspection, whichever occurs first:

- (1) Using a 10X or higher power magnifying glass and a light, inspect each MRB trim tab end at the trailing edge corner where the trim tab and MRB meet for a crack. If there is a crack, before further flight, replace the MRB.
- (2) Using a 10X or higher power magnifying glass and a light, inspect the top and bottom surface of each MRB adjacent to the inboard trim tab corner for a crack, from the trailing edge towards the leading edge. If there is a crack, before further flight, replace the MRB.

#### (f) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Los Angeles ACO Branch, FAA, may approve AMOCs for this AD. Send your proposal to: Galib Abumeri, Aviation Safety Engineer, Los Angeles ACO Branch, Compliance & Airworthiness Division, FAA, 3960 Paramount Blvd., Lakewood, CA 90712; telephone (562) 627-5374; email 9-ANM-LAACO-AMOC-REQUESTS@faa.gov.

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office before operating any aircraft complying with this AD through an AMOC.

#### (g) Additional Information

(1) Helicopter Technology Company, LLC, Mandatory Service Bulletin Notice No. 2100-9, dated May 25, 2017, which is not incorporated by reference, contains additional information about the subject of this AD. For Helicopter Technology Company, LLC, service information identified in this AD, contact Helicopter Technology Company, LLC, 12902 South Broadway, Los Angeles, CA 90061; telephone (310) 523-2750; or at [www.helicoptertech.com](http://www.helicoptertech.com).

(2) MD Helicopters Service Bulletin No. SB369D-221, SB369E-119, SB369F-106, SB369H-257, SB500N-057, and SB600N-069, each dated April 2, 2018, which are not incorporated by reference, contain additional information about the subject of this AD. For MD Helicopters service information identified in this AD, contact MD Helicopters, Inc., Attn: Customer Support Division, 4555 E. McDowell Rd., Mail Stop M615, Mesa, AZ 85215-9734; telephone 1-800-388-3378; fax 480-346-6813; or at <http://www.mdhelicopters.com>.

(3) You may review a copy of this service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy, Room 6N-321, Fort Worth, TX 76177.

**(h) Subject**

Joint Aircraft Service Component (JASC)  
Code: 6210, Main Rotor Blade.

Issued in Fort Worth, Texas, on February 28, 2019.

**Scott A. Horn,**

*Deputy Director for Regulatory Operations,  
Compliance & Airworthiness Division,  
Aircraft Certification Service.*

[FR Doc. 2019-04528 Filed 3-12-19; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2018-0336; Product Identifier 2017-SW-130-AD; Amendment 39-19588; AD 2019-05-06]

RIN 2120-AA64

**Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for Airbus Helicopters Deutschland GmbH (Airbus Helicopters) Model EC135P1, EC135P2, EC135P2+, EC135P3, EC135T1, EC135T2, EC135T2+, and EC135T3 helicopters. This AD requires replacing the retaining ring and inspecting the hoist cable hook assembly (hook). This AD was prompted by a report that a hook detached from the hoist cable. The actions of this AD are intended to address an unsafe condition on these products.

**DATES:** This AD is effective April 17, 2019.

The Director of the Federal Register approved the incorporation by reference of a certain document listed in this AD as of April 17, 2019.

**ADDRESSES:** For service information identified in this final rule, contact Airbus Helicopters, 2701 N Forum Drive, Grand Prairie, TX 75052; telephone (972) 641-0000 or (800) 232-0323; fax (972) 641-3775; or at [http://www.helicopters.airbus.com/website/en/ref/Technical-Support\\_73.html](http://www.helicopters.airbus.com/website/en/ref/Technical-Support_73.html). You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy, Room 6N-321, Fort Worth, TX 76177. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0336.

**Examining the AD Docket**

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0336; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the European Aviation Safety Agency (EASA) AD, any incorporated-by-reference service information, the economic evaluation, any comments received, and other information. The street address for Docket Operations (phone: 800-647-5527) is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:**

David Hatfield, Aviation Safety Engineer, Safety Management Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email [david.hatfield@faa.gov](mailto:david.hatfield@faa.gov).

**SUPPLEMENTARY INFORMATION:****Discussion**

On September 7, 2018 at 83 FR 45364, the **Federal Register** published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 by adding an AD that would apply to Airbus Helicopters Model EC135P1, EC135P2, EC135P2+, EC135P3, EC135T1, EC135T2, EC135T2+, and EC135T3 helicopters. The NPRM proposed to require, within 90 hours time-in-service (TIS) and thereafter at intervals not to exceed 180 hours TIS, replacing the retaining ring and inspecting the elastomeric energy absorber for a permanent compression set, and if necessary, replacing the elastomeric energy absorber before the next hoist operation. The proposed requirements were intended to prevent detachment of a hook from a hoist cable resulting in in-flight failure of the hoist, which could result in injury to persons being lifted.

The NPRM was prompted by AD No. 2017-0199, dated October 11, 2017, issued by EASA, which is the Technical Agent for the Member States of the European Union, to correct an unsafe condition for Airbus Helicopters Model EC135P1, EC135P2, EC135P2+, EC135P3, EC135T1, EC135T2, EC135T2+, EC135T3, EC635P2+, EC635P3, EC635T1, EC635T2+, and EC635T3 helicopters. EASA advises of a report of a hook separating from the hoist cable. According to EASA, an investigation determined that failure of

the internal retaining ring combined with a permanent compression set of the elastomeric energy absorber caused the separation. EASA states that this condition, if not corrected, could lead to the detachment of an external load or person from the hoist, possibly resulting in personal injury or injury to persons on the ground. The EASA AD consequently requires repetitive inspections of the hook assembly and replacement of the retaining ring.

EASA considers its AD an interim measure and states that further AD action may follow.

**Comments**

We gave the public the opportunity to participate in developing this AD, but we did not receive any comments on the NPRM.

**FAA's Determination**

These helicopters have been approved by the aviation authority of Germany and are approved for operation in the United States. Pursuant to our bilateral agreement with Germany, EASA, its technical representative, has notified us of the unsafe condition described in the EASA AD. We are issuing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other helicopters of these same type designs and that air safety and the public interest require adopting the AD requirements as proposed.

**Interim Action**

We consider this AD to be an interim action. The design approval holder is currently developing a modification that will address the unsafe condition identified in this AD. Once this modification is developed, approved, and available, we might consider additional rulemaking.

**Differences Between This AD and the EASA AD**

The EASA AD requires corrective actions in terms of months in service. This AD requires compliance within 90 hours TIS and thereafter at intervals not to exceed 180 hours TIS. The EASA AD applies to Airbus Helicopters Model EC635P2+, EC635P3, EC635T1, EC635T2+, and EC635T3 helicopters. This AD does not because these model helicopters have no FAA type certificate.

**Related Service Information Under 14 CFR Part 51**

We reviewed Goodrich Service Bulletin No. 44301-10-17, Revision 4, dated July 26, 2017 (SB 44301-10-17).