

# Proposed Rules

Federal Register

Vol. 74, No. 138

Tuesday, July 21, 2009

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0654; Directorate Identifier 2008-NM-083-AD]

RIN 2120-AA64

#### Airworthiness Directives; Saab AB, Saab Aerosystems Model SAAB 2000 Airplanes

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

There have been reported incidents of brinelling to the self-sealing coupling Part Number (P/N) 9304000-303 (Nipple Assembly). The wear is visible in the groove of the nipple, caused by the socket locking balls. During tear down investigations of self-sealing coupling P/N 9304000-305 (Socket Assembly), internal socket wear has been observed. Wear that exceeds the allowable limits could lead to reduced oil flow, and further wear could contribute to separation of the Self-Seal Coupling, making the engine inoperable and subsequent shut down. As secondary damage, the generator may fail, releasing oil into the nacelle and increasing the possibility of fire.

\* \* \* \* \*

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by August 20, 2009.

**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 W12-40, 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 Saab Aircraft AB, SAAB Aerosystems, SE-581 88, Linköping, Sweden; telephone +46 13 18 5591; fax +46 13 18 4874; e-mail [saab2000.techsupport@saabgroup.com](mailto:saab2000.techsupport@saabgroup.com); Internet <http://www.saabgroup.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425-227-1221 or 425-227-1152.

#### 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:** Shahram Daneshmandi, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1112; fax (425) 227-1149.

#### 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-2009-0654; Directorate Identifier 2008-NM-083-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

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2008-0030, dated February 15, 2008 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

There have been reported incidents of brinelling to the self-sealing coupling Part Number (P/N) 9304000-303 (Nipple Assembly). The wear is visible in the groove of the nipple, caused by the socket locking balls. During tear down investigations of self-sealing coupling P/N 9304000-305 (Socket Assembly), internal socket wear has been observed. Wear that exceeds the allowable limits could lead to reduced oil flow, and further wear could contribute to separation of the Self-Seal Coupling, making the engine inoperable and subsequent shut down. As secondary damage, the generator may fail, releasing oil into the nacelle and increasing the possibility of fire.

For the reason described above, this Airworthiness Directive (AD) requires the inspection of the affected nipple- and socket assemblies and, if wear is found outside the specified limits, replacement of worn parts.

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

#### Relevant Service Information

Saab has issued Service Bulletin 2000-79-006, Revision 01, dated October 15, 2007. 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.

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

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

#### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 6 products of U.S. registry. We also estimate that it would take about 1 work-hour per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$480, or \$80 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); and
3. 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:

**Saab AB, Saab Aerosystems:** Docket No. FAA-2009-0654; Directorate Identifier 2008-NM-083-AD.

#### Comments Due Date

- (a) We must receive comments by August 20, 2009.

#### Affected ADs

- (b) None.

#### Applicability

- (c) This AD applies to Saab AB, Saab Aerosystems Model SAAB 2000 airplanes, certificated in any category, serial numbers 004 through 063 inclusive.

#### Subject

- (d) Air Transport Association (ATA) of America Code 79: Engine Oil.

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

There have been reported incidents of brinelling to the self-sealing coupling Part Number (P/N) 9304000-303 (Nipple Assembly). The wear is visible in the groove of the nipple, caused by the socket locking balls. During tear down investigations of self-sealing coupling P/N 9304000-305 (Socket Assembly), internal socket wear has been observed. Wear that exceeds the allowable limits could lead to reduced oil flow, and further wear could contribute to separation of the Self-Seal Coupling, making the engine inoperable and subsequent shut down. As secondary damage, the generator may fail, releasing oil into the nacelle and increasing the possibility of fire.

For the reason described above, this Airworthiness Directive (AD) requires the inspection of the affected nipple- and socket assemblies and, if wear is found outside the specified limits, replacement of worn parts.

#### Actions and Compliance

- (f) Unless already done, do the following actions.

(1) Within 12 months after the effective date of this AD: Inspect the affected nipple assembly part number (P/N) 9304000-303 and socket assembly P/N 9304000-305 for signs of damage, wear, and leaking of the nipple and socket, in accordance with the Accomplishment Instructions of Saab Service Bulletin 2000-79-006, Revision 01, dated October 15, 2007. Repeat the inspection thereafter at intervals not to exceed 4,000 flight hours.

(2) If any wear is found during any inspection required by paragraph (f)(1) of this AD that is beyond the limits as specified in Saab Service Bulletin 2000-79-006, Revision 01, dated October 15, 2007, prior to further flight, replace the part with a new or serviceable unit having the same part number, in accordance with Saab Service Bulletin 2000-79-006, Revision 01, dated October 15, 2007.

(3) If any leak or damage is found during any inspection required by paragraph (f)(1) of this AD, prior to further flight, replace the part with a new or serviceable unit having the same part number in accordance with step 2.C.(1)(a)6 or step 2.C.(1)(a)10, as applicable, in Saab Service Bulletin 2000-79-006, Revision 01, dated October 15, 2007.

(4) Replacement of parts does not constitute terminating action for the inspection requirements of this AD.

#### FAA AD Differences

**Note 1:** This AD differs from the MCAI and/or service information as follows: No differences.

#### Other FAA AD Provisions

- (g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Shahram

Daneshmandi, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1112; fax (425) 227-1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office.

(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) *Reporting Requirements*: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(h) Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2008-0030, dated February 15, 2008; and Saab Service Bulletin 2000-79-006, Revision 01, dated October 15, 2007; for related information.

Issued in Renton, Washington, on July 13, 2009.

**Ali Bahrami,**

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

[FR Doc. E9-17227 Filed 7-20-09; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 40

Docket No. RM08-13-000

#### Transmission Relay Loadability Reliability Standard; Notice of Extension of Time

July 13, 2009.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Notice of proposed rulemaking; extension of comment period.

**SUMMARY:** On May 21, 2009, the Federal Energy Regulatory Commission issued a Notice of Proposed Rulemaking proposing to approve Reliability Standard PRC-023-1 (Transmission Relay Loadability Reliability Standard) developed by the North American Electric Reliability Corporation. The date for filing comments on the Commission's NOPR is being extended

at the request of the American Public Power Association, Edison Electric Institute, the Electric Power Supply Association and the National Rural Electric Cooperative Association.

**DATES:** Comments are due on or before August 17, 2009.

**ADDRESSES:** Interested persons may submit comments, identified by Docket No. RM08-13-000, by any of the following methods:

- *Agency Web site:* <http://www.ferc.gov>: Documents created electronically using word processing software should be filed in native applications or print-to-PDF format and not in a scanned format.

- *Mail/Hand Delivery:* Commenters unable to file comments electronically must mail or hand deliver an original and 14 copies of their comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426.

#### FOR FURTHER INFORMATION CONTACT:

Joshua Konecni (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6291.

Michael Henry (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-8532.

Cynthia Pointer (Technical Information), Office of Electric Reliability, Division of Reliability Standards, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6069.

Robert Snow (Technical Information), Office of Electric Reliability, Division of Reliability Standards, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502-6716.

#### SUPPLEMENTARY INFORMATION:

#### Transmission Relay Loadability Reliability Standard; Notice of Extension of Time

On July 9, 2009, the American Public Power Association, Edison Electric Institute, the Electric Power Supply Association, and the National Rural Electric Cooperative Association (Movants), on behalf of their respective member utilities, filed a motion for an extension of time to file comments in response to the Commission's Notice of Proposed Rulemaking issued May 21, 2009, in the above-referenced proceeding, *Transmission Relay Loadability Reliability Standard*, 127 FERC ¶ 61,175 (2009) (May 21 NOPR). The motion states that because the

Commission's May 21 NOPR raises many new technical and policy issues, the Movants require additional time to conduct member company consultations and to prepare reasoned comments.

Upon consideration, notice is hereby given that an extension of time for filing comments on the May 21 NOPR is granted to and including August 17, 2009.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-17235 Filed 7-20-09; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### 31 CFR Part 103

RIN 1506-AB02

#### Financial Crimes Enforcement Network: Anti-Money Laundering Program and Suspicious Activity Report Requirements for Non-Bank Residential Mortgage Lenders and Originators

**AGENCY:** Financial Crimes Enforcement Network (FinCEN), Department of the Treasury.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** FinCEN is issuing this advance notice of proposed rulemaking (ANPRM) to solicit public comment on a wide range of questions pertaining to the possible application of anti-money laundering (AML) program and suspicious activity report (SAR) regulations to a specific sub-set of loan and finance companies: Non-bank residential mortgage lenders and originators. FinCEN seeks comment on: An incremental approach to the issuance of regulations for loan and finance companies that would initially affect only those persons engaged in non-bank residential mortgage lending or origination; how any such regulations should define persons engaged in non-bank residential mortgage lending or origination; the financial crime and money laundering risks posed by such persons; how AML programs for such persons should be structured; whether such persons should be covered by BSA requirements other than the AML program requirement, including SAR reporting; and whether any such persons should be exempted from AML program or SAR reporting requirements.

**DATES:** Written comments on this ANPRM must be received on or before August 20, 2009.

**ADDRESSES:** *FinCEN*: You may submit comments, identified by Regulatory