

Requirements for Single Voltage External Ac-Dc and Ac-Ac Power Supplies” (incorporated by reference, see § 430.3), published by the Environmental Protection Agency, of a distinguishing mark for products described in this clause, is permanently marked with the distinguishing mark.

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[FR Doc. 2011-23965 Filed 9-16-11; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2011-0760; Directorate Identifier 2011-NE-10-AD; Amendment 39-16789; AD 2011-18-07]

RIN 2120-AA64

Airworthiness Directives; WYTORNIA SPRZETU KOMUNIKACYJNEGO (WSK) “PZL- RZESZOW”—SPOLKA AKCYJNA (SA) PZL—10W Turboshaft Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued 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:

An uncommanded engine in-flight shutdown of a PZL-10W has been recently reported. The investigation has shown that the uncommanded engine in-flight shutdown was due to excessive spline wear on the fuel metering pump shaft.

This condition, if not identified and corrected, may lead to further uncommanded in-flight engine shutdowns and consequent emergency landings of the affected helicopters.

We are issuing this AD to prevent uncommanded engine in-flight shutdown and risk to the helicopter.

DATES: This AD becomes effective October 4, 2011.

We must receive comments on this AD by October 19, 2011.

The Director of the Federal Register approved the incorporation by reference of WSK Obligatory Bulletin No. E-19W147B/DOA/2010 (this bulletin has no issue date), listed in the AD as of October 4, 2011.

ADDRESSES: You may send comments by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- **Mail:** U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.
- **Hand Delivery:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- **Fax:** (202) 493-2251.

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 AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (phone: (800) 647-5527) is the same as the Mail address provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT:

James Lawrence, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: james.lawrence@faa.gov; phone: (781) 238-7176; fax: (781) 238-7199.

SUPPLEMENTARY INFORMATION:

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 2011-0030, dated February 25, 2011, (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

An uncommanded engine in-flight shutdown of a PZL-10W has been recently reported. The investigation has shown that the uncommanded engine in-flight shutdown was due to excessive spline wear on the fuel metering pump shaft.

This condition, if not identified and corrected, may lead to further uncommanded in-flight engine shutdowns and consequent emergency landings of the affected helicopters.

To address this unsafe condition, WSK “PZL-Rzeszów” S.A. has developed an inspection programme of the fuel metering pump shaft.

For the reasons described above, this AD requires an inspection of the fuel metering pump shaft and the accomplishment of the associated corrective actions, as applicable.

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

Relevant Service Information

WSK “PZL-Rzeszów” S.A. has issued Obligatory Bulletin No. E-19W147B/DOA/2010 (this bulletin has no issue date). 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 AD

This product has been approved by the aviation authority of Poland, and is approved for operation in the United States. Pursuant to our bilateral agreement with EASA, they have notified us of the unsafe condition described in the MCAI and service information referenced above. 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 products of the same type design.

FAA’s Determination of the Effective Date

Since no domestic operators use this product, notice and opportunity for public comment before issuing this AD are unnecessary. Therefore, we are adopting this regulation immediately.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2011-0760; Directorate Identifier 2011-NE-10-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this 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 with FAA personnel concerning this AD. Using the search function of the Web site, anyone can find and read the comments in any of our dockets, including, if provided, the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor

union, *etc.*). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

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 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 this AD:

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 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 AD:

2011–18–07 WYTWORKIA SPRZETU KOMUNIKACYJNEGO (WSK) PZL—Rzeszów" SPOLKA AKCYJNA (SA):

Amendment 39–16789; Docket No. FAA–2011–0760; Directorate Identifier 2011–NE–10–AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective October 24, 2011.

Affected ADs

- (b) None.

Applicability

- (c) This AD applies to WSK PZL–10W series turboshaft engines with a fuel metering pump, part number ALRP–5, installed. These engines are installed on, but not limited to, PZL W–3A and PZL W–3AS helicopters.

Reason

- (d) The MCAI states that:

An uncommanded engine in-flight shutdown of a PZL–10W has been recently reported. The investigation has shown that the uncommanded engine in-flight shutdown was due to excessive spline wear on the fuel metering pump shaft.

This condition, if not identified and corrected, may lead to further uncommanded in-flight engine shutdowns and consequent emergency landings of the affected helicopters.

We are issuing this AD to prevent uncommanded engine in-flight shutdown and risk to the helicopter.

Actions and Compliance

- (e) Within the compliance time indicated in Table 1 of this AD, perform a one time inspection of spline teeth on the fuel metering pump shaft for excessive wear Use WSK Obligatory Bulletin no. E–19W147B/DOA/2010 (this bulletin has no issue date) to do the inspection.

TABLE 1

Engine configuration at the effective date of this AD	Compliance time for the inspection
(1) Engine fitted with a fuel metering pump that has accumulated grater than or equal to 1 000 hours of engine operation since new or since last overhaul..	Within 25 hours of engine operation after the effective date of this AD.
(2) Engine fitted with a fuel metering pump that has accumulated less than 1 000 hours since new or since last overhaul..	Before accumulating 1,000 hours of engine operation since new or since last overhaul, or within 25 hours of engine operation after the effective date of this AD, whichever is later.

(3) Do not operate any aircraft with an engine fuel metering pump that fails the inspection required by paragraph (e) of this AD.

(4) After the effective date of this AD, do not install any ALRP–5 fuel pump on an engine unless it passes the inspection required by paragraph (e) of this AD.

FAA AD Differences

- (f) This AD doesn't require reporting.

Other FAA AD Provisions

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

Alternative Methods of Compliance (AMOCs)

- (1) The Manager, Engine Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

Paperwork Reduction Act Burden Statement

- (2) For any reporting requirement in this AD, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this

information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES–200.

Related Information

- (h) Refer to MCAI Airworthiness Directive 2011–0030, dated February 25, 2011.

(i) Contact James Lawrence, Aerospace Engineer, Engine Certification Office, FAA,

Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: james.lawrence@faa.gov; phone: (781) 238-7176; fax: (781) 238-7199, for more information about this AD.

Material Incorporated by Reference

(j) You must use WYTWÓRNA SPRZĘTU KOMUNIKACYJNEGO Obligatory Bulletin No. E-19W147B/DOA/2010 (this bulletin has no issue date), to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact WYTWÓRNA SPRZĘTU KOMUNIKACYJNEGO PZL—Rzeszów” S.A. Hetmańska 120 35-078 RZESZÓW; Poland; phone: (0-17) 8546100, 8546200, fax: (0-17) 8620750.

(3) You may review copies at the FAA, New England Region, 12 New England Executive Park, Burlington, MA; or 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 Burlington, Massachusetts on August 18, 2011.

Peter A. White,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2011-23930 Filed 9-16-11; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2011-0376; Airspace Docket No. 10-AEA-11]

RIN 2120-AA66

Amendment and Establishment of Air Traffic Service Routes; Northeast United States

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends five existing Air Traffic Service (ATS) routes and establishes four new ATS routes. The existing routes being amended are Q-42, J-60, V-16, V-229 and V-449. The new routes are Q-62, Q-406, Q-448 and Q-480. The FAA is taking this action to increase National Airspace System (NAS) efficiency, enhance safety and reduce delays within the New York metropolitan area airspace.

DATES: Effective date 0901 UTC, October 20, 2011. The Director of the Federal Register approves this incorporation by

reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Paul Gallant, Airspace, Regulations and ATC Procedures Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

History

On May 17, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend jet route J-60, area navigation (RNAV) route Q-42, and VOR Federal airways V-16, V-229 and V-449 (76 FR 28379). In addition, the FAA proposed to establish four new RNAV routes designated as Q-62, Q-406, Q-448 and Q-480. The changes were proposed to facilitate the routing of westbound air traffic departing the New York metropolitan area and better sequence departing traffic with en route overflight traffic to reduce delays within the New York terminal airspace. Additionally, the changes were designed to more efficiently accommodate aircraft landing within the Potomac Terminal Radar Approach Control (TRACON) airspace.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. Forty comments were received.

Discussion of Comments

Comments received fell within three general categories: administrative issues, safety issues and environmental issues.

Administrative Issues

One commenter believed that there was an error in the description of Federal airway V-229 as published in the NPRM. The FAA reviewed the proposed V-229 description and determined that it was correctly published. Several commenters contend that the description of the proposed ATS route changes in the NPRM are not easily understandable to the general public. The FAA does not include a graphic depiction of ATS route proposals in a NPRM because most ATS routes extend for long distances and the reduced scale used by the **Federal Register** when publishing the graphic would cause the resulting “picture” to be compressed to such a degree that it would provide little value to a commenter. The NPRM for this proposal did include a written description of the changes for each route as well as the

“legal description” listing each point that makes up the route. For area navigation (RNAV) routes, the legal description also includes the latitude and longitude of each point. Once the establishment of, or modification of, a route is adopted in a final rule, the route will be illustrated on the appropriate aeronautical chart(s).

Another commenter commented generally that the proposal circumvented the Administrative Procedure Act (APA). The FAA does not agree. The APA (Title 5, U.S.C., section 553) governs the process by which agencies of the Federal government may propose and establish regulations. The FAA has fully complied with APA notice and comment requirements applicable to this rulemaking action.

Safety Issues

Commenters argued that the proposed routes are a danger to the public, that aircraft should not overfly residential areas for safety reasons, and that the redesigned flight paths will strain and subject airports beyond their physical limitations and place the community at risk. The FAA does not agree that the changes adopted in this rule will adversely impact safety. To the contrary, the routes have been carefully designed to enhance the safety and efficiency of air traffic operations. As with other major U.S. cities served by high volume airport(s), the New York metropolitan area is densely populated with residential land uses surrounding all of the major airports. Arrivals into and departures from these airports cannot avoid overflight of all residential areas. The ATS route changes in this route will not put a strain on airport operations or place the surrounding communities at risk. The route changes will, however, serve to increase the safety and efficiency of air traffic operations at the airports as part of a solution to the longstanding issues of air traffic congestion and delays.

Environmental Issues

The majority of the comments received dealt with one or more environmental concerns. Many opposed the changes stating that additional environmental study was required. The FAA does not agree. The National Environmental Policy Act (NEPA) requires the FAA to conduct an environmental review prior to implementing any Federal action, such as the implementation of new or amended air traffic procedures. All of the routes described in this rulemaking were reviewed accordingly. Public comments received in response to the NPRM were considered during this