

amount for a loan amount greater than or equal to \$105,158; \$3,155 for a loan amount greater than or equal to \$63,095 but less than \$105,158; 5 percent of the total loan amount for loans greater than or equal to \$21,032 but less than \$63,095; \$1,052 for a loan amount greater than or equal to \$13,145 but less than \$21,032; or 8 percent of the total loan amount for loans less than \$13,145. The Bureau is amending comment 43(e)(3)(ii)–1, which lists the adjustments for each year, to reflect the new dollar threshold amounts for 2018.

**III. Procedural Requirements**

**A. Administrative Procedure Act**

Under the Administrative Procedure Act, notice and opportunity for public comment are not required if the Bureau finds that notice and public comment are impracticable, unnecessary, or contrary to the public interest. 5 U.S.C. 553(b)(B). Pursuant to this final rule, in Regulation Z, comments 32(a)(1)(ii)–1.iv and –3.iv, 43(e)(3)(ii)–1.iv, and 52(b)(1)(ii)–2.i.E in supplement I are added to update the exemption thresholds. The amendments in this final rule are technical and non-discretionary, as they merely apply the method previously established in Regulation Z for determining adjustments to the thresholds. For these reasons, the Bureau has determined that publishing a notice of proposed rulemaking and providing opportunity for public comment are unnecessary. The amendments therefore are adopted in final form.

**B. Regulatory Flexibility Act**

Because no notice of proposed rulemaking is required, the Regulatory Flexibility Act does not require an initial or final regulatory flexibility analysis. 5 U.S.C. 603(a), 604(a).

**C. Paperwork Reduction Act**

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506; 5 CFR part 1320), the Bureau reviewed this final rule. No collections of information pursuant to the Paperwork Reduction Act are contained in the final rule.

**List of Subjects in 12 CFR Part 1026**

Advertising, Consumer protection, Credit, Credit unions, Mortgages, National banks, Reporting and recordkeeping requirements, Savings associations, Truth in lending.

**Authority and Issuance**

For the reasons set forth in the preamble, the Bureau amends Regulation Z, 12 CFR part 1026, as set forth below:

**PART 1026—TRUTH IN LENDING (REGULATION Z)**

■ 1. The authority citation for part 1026 continues to read as follows:

**Authority:** 12 U.S.C. 2601, 2603–2605, 2607, 2609, 2617, 3353, 5511, 5512, 5532, 5581; 15 U.S.C. 1601 *et seq.*

■ 2. In Supplement I to part 1026—Official Interpretations:

■ a. Under *Section 1026.32—Requirements for High-Cost Mortgages*, under *32(a) Coverage*, under *Paragraph 32(a)(1)(ii)*, paragraphs 1.iv and 3.iv are added.

■ b. Under *Section 1026.43—Minimum Standards for Transactions Secured by a Dwelling*, under *43(e) Qualified mortgages*, under *Paragraph 43(e)(3)(ii)*, paragraph 1.iv is added.

■ c. Under *Section 1026.52—Limitations on Fees*, under *52(b) Limitations on Penalty Fees*, under *52(b)(1)(ii) Safe harbors*, paragraph 2.i.E is added.

The additions read as follows:

**Supplement I to Part 1026—Official Interpretations**

\* \* \* \* \*

**Subpart E—Special Rules for Certain Home Mortgage Transactions**

\* \* \* \* \*

*Section 1026.32—Requirements for Certain Closed-End Home Mortgages*

**32(a) Coverage**

\* \* \* \* \*

*Paragraph 32(a)(1)(ii).*

1. \* \* \*
iv. For 2018, \$1,052, reflecting a 2.2 percent increase in the CPI–U from June 2016 to June 2017, rounded to the nearest whole dollar.

\* \* \* \* \*

3. \* \* \*
iv. For 2018, \$21,032, reflecting a 2.2 percent increase in the CPI–U from June 2016 to June 2017, rounded to the nearest whole dollar.

\* \* \* \* \*

*Section 1026.43—Minimum Standards for Transactions Secured by a Dwelling*

\* \* \* \* \*

*43(e) Qualified mortgages.*

\* \* \* \* \*

*Paragraph 43(e)(3)(ii).*

1. \* \* \*
iv. For 2018, reflecting a 2.2 percent increase in the CPI–U that was reported on the preceding June 1, a covered transaction is not a qualified mortgage unless the transaction’s total points and fees do not exceed:

A. For a loan amount greater than or equal to \$105,158: 3 percent of the total loan amount;

B. For a loan amount greater than or equal to \$63,095 but less than \$105,158: \$3,155;

C. For a loan amount greater than or equal to \$21,032 but less than \$63,095: 5 percent of the total loan amount;

D. For a loan amount greater than or equal to \$13,145 but less than \$21,032: \$1,052;

E. For a loan amount less than \$13,145: 8 percent of the total loan amount.

\* \* \* \* \*

**Subpart G—Special Rules Applicable to Credit Card Accounts and Open-End Credit Offered to College Students**

\* \* \* \* \*

*Section 1026.52—Limitations on Fees*

\* \* \* \* \*

**52(b) Limitations on Penalty Fees**

\* \* \* \* \*

**52(b)(1)(ii) Safe harbors**

\* \* \* \* \*

2. \* \* \*

i. \* \* \*
E. Card issuers were permitted to impose a fee for violating the terms of an agreement if the fee did not exceed \$27 under § 1026.52(b)(1)(ii)(A) and \$38 under § 1026.52(b)(1)(ii)(B), through December 31, 2017.

\* \* \* \* \*

Dated: July 25, 2017.  
**Richard Cordray,**  
*Director, Bureau of Consumer Financial Protection.*  
[FR Doc. 2017–18003 Filed 8–29–17; 8:45 am]  
**BILLING CODE 4810-AM-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA–2017–0503; Product Identifier 2017–NM–032–AD; Amendment 39–19009; AD 2017–17–19]

**RIN 2120-AA64**

**Airworthiness Directives; The Boeing Company Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all The Boeing Company Model DC–9–81 (MD–

81), DC-9-82 (MD-82), DC-9-83 (MD-83), and DC-9-87 (MD-87) airplanes, and Model MD-88 airplanes. This AD was prompted by reports of cracking of various structures in the bulkhead. This AD requires an inspection for cracking in these structures, and corrective actions if necessary. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective October 4, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 4, 2017.

**ADDRESSES:** For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; Internet <https://www.myboeingfleet.com>. You may view this service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0509.

#### 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-2017-0503; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Docket Management Facility, 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:** George Garrido, Aerospace Engineer, Airframe Section, FAA, Los Angeles ACO Branch, 3960 Paramount Boulevard, Lakewood, CA 90712-4137; phone: 562-627-5232; fax: 562-627-5210; email: [george.garrido@faa.gov](mailto:george.garrido@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would

apply to all The Boeing Company Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), and DC-9-87 (MD-87) airplanes, and Model MD-88 airplanes. The NPRM published in the **Federal Register** on June 2, 2017 (82 FR 25547). The NPRM was prompted by reports of cracking of various structures in the bulkhead. The NPRM proposed to require an inspection for cracking in these structures, and corrective actions if necessary. We are issuing this AD to detect and correct cracking at the cant station 1463 bulkhead and cant station 1254 bulkhead, which could result in reduced structural integrity of the airplane.

##### Comments

We gave the public the opportunity to participate in developing this final rule. The following presents the comments received on the NPRM and the FAA's response to each comment.

##### Support for the NPRM

Boeing stated that it appreciates the credit for actions done prior to the effective date of the AD specified in paragraph (i) of the proposed AD.

##### Request To Clarify Location of Crack Findings

Boeing requested that we revise the Discussion section to add the vertical stabilizer location in the sentence "The cracks were in the upper left area of the bulkhead, between longerons L-2 and L-3, in the frame web, horizontal stiffeners, lower frame cap, [vertical stabilizer] rear spar cap, and spar cap web."

We partially agree with Boeing's request. The added wording does accurately indicate the cracking location. However, this description is not repeated in this final rule. Therefore, no change is needed in this regard.

##### Requests To Revise Inspection Locations for Affected Airplanes

Boeing and Delta Airlines (DAL) requested that we revise paragraph (g) of the proposed AD to include Model MD-88 airplanes in the cant station 1463 bulkhead group instead of the cant station 1254 bulkhead group. The commenters explained that Model MD-88 airplanes share the same fuselage length (and hence, station numbers) as Model DC-9-81, DC-9-82, and DC-9-83 airplanes. The commenters also request that, with the requested change to paragraph (g) of the proposed AD, we remove paragraph (h)(1) of the proposed AD since there would be no need for

that exception to the service information.

We agree with the commenters' requests. The cant station 1463 bulkhead is correct for Model MD-88 airplanes. This group revision does not change the overall scope of the actions required for Model MD-88 airplanes. We agree that the service information exception in paragraph (h)(1) of the proposed AD is no longer needed. We have revised the Model MD-88 grouping in paragraph (g) of this AD, removed paragraph (h)(1) of the proposed AD, and redesignated paragraph (h)(2) of the proposed AD as paragraph (h) in this AD.

##### Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this final rule with the changes described previously and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this final rule.

##### Related Service Information Under 1 CFR Part 51

We reviewed Boeing Alert Service Bulletin MD80-53A316, dated December 15, 2016. The service information describes procedures for a detailed inspection on the left and right sides of the forward and aft surfaces of cant station 1463 bulkhead and cant station 1254 bulkhead for cracking in the upper caps, upper cap doublers, bulkhead webs and doublers, stiffeners, lower caps, and vertical stabilizer rear spar caps and webs, between longerons L-11L through L-11R, and corrective actions. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

##### Costs of Compliance

We estimate that this AD will affect 361 airplanes of U.S. registry. We estimate the following costs to comply with this AD:

## ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection .....	3 work-hours × \$85 per hour = \$255 .....	\$0	\$255	\$92,055

We have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this AD.

#### 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.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

#### 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.

#### 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):

**2017–17–19 The Boeing Company:**  
Amendment 39–19009; Docket No. FAA–2017–0503; Product Identifier 2017–NM–032–AD.

##### (a) Effective Date

This AD is effective October 4, 2017.

##### (b) Affected ADs

None.

##### (c) Applicability

This AD applies to all The Boeing Company Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), and DC–9–87 (MD–87) airplanes, and Model MD–88 airplanes, certified in any category.

##### (d) Subject

Air Transport Association (ATA) of America Code 53; Fuselage.

##### (e) Unsafe Condition

This AD was prompted by reports of cracking of various structures at the cant station 1463 bulkhead and at the cant station 1254 bulkhead. We are issuing this AD to detect and correct cracking at the cant station 1463 bulkhead and cant station 1254 bulkhead, which could result in reduced structural integrity of the airplane.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Inspection and Corrective Action

Within 700 flight cycles or 6 months after the effective date of this AD, whichever occurs first, do a detailed inspection for cracking on the left and right sides of the forward and aft surfaces of the cant station 1463 bulkhead (for Model DC–9–81 (MD–81), DC–9–82 (MD–82), and DC–9–83 (MD–83) airplanes, and Model MD–88 airplanes) and cant station 1254 bulkhead (for Model DC–9–87 (MD–87) airplanes); and do all applicable corrective actions; in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin MD80–53A316, dated December 15, 2016, except as required in paragraph (h) of this AD. Do all applicable corrective actions before further flight.

#### (h) Exception to Service Information

Where Boeing Alert Service Bulletin MD80–53A316, dated December 15, 2016, specifies to contact Boeing for appropriate action and specifies that action as "RC" (Required for Compliance): Before further flight, repair the cracking using a method approved in accordance with the procedures specified in paragraph (k) of this AD.

#### (i) Credit for Previous Actions

This paragraph provides credit for the actions specified in paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Boeing Multi Operator Message MOM–MOM–16–0684–01B, dated October 7, 2016.

#### (j) Special Flight Permit

Special flight permits, as described in Section 21.197 and Section 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199), may be issued to operate the airplane to a location where the requirements of this AD can be accomplished, but concurrence by the Manager, Los Angeles ACO Branch, FAA, is required before issuance of the special flight permit.

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

(1) The Manager, Los Angeles ACO Branch, FAA, 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 manager of the certification office, send it to the attention of the person identified in paragraph (l) of this AD. Information may be emailed to: 9-ANM-LAACO-AMOC-Requests@faa.gov.

(2) 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.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Los Angeles ACO Branch, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) Except as required by paragraph (h) of this AD: For service information that contains steps that are labeled as Required for Compliance (RC), the provisions of paragraphs (k)(4)(i) and (k)(4)(ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or substep is labeled "RC Exempt," then the RC requirement is removed from that step or substep. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

#### (l) Related Information

(1) For more information about this AD, contact George Garrido, Aerospace Engineer, Airframe Section, FAA, Los Angeles ACO Branch, 3960 Paramount Boulevard, Lakewood, CA 90712-4137; phone: 562-627-5232; fax: 562-627-5210; email: [george.garrido@faa.gov](mailto:george.garrido@faa.gov).

(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (m)(3) and (m)(4) of this AD.

#### (m) 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.

(i) Boeing Alert Service Bulletin MD80-53A316, dated December 15, 2016.

(ii) Reserved.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminister Blvd., MC 110-SK57, Seal Beach, CA 90740-5600; telephone 562-797-1717; Internet <https://www.myboeingfleet.com>.

(4) You may view this service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(5) 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 August 17, 2017.

**Jeffrey E. Duven,**

*Director, System Oversight Division, Aircraft Certification Service.*

[FR Doc. 2017-18165 Filed 8-29-17; 8:45 am]

**BILLING CODE 4910-13-P**

## CONSUMER PRODUCT SAFETY COMMISSION

### 16 CFR Part 1308

[Docket No. CPSC-2016-0017]

#### Prohibition of Children's Toys and Child Care Articles Containing Specified Phthalates: Determinations Regarding Certain Plastics

**AGENCY:** U.S. Consumer Product Safety Commission.

**ACTION:** Final rule.

**SUMMARY:** The Consumer Product Safety Commission (Commission, or CPSC) is issuing a final rule that determines that certain plastics with specified additives would not contain the specified phthalates prohibited in children's toys and child care articles. Based on these determinations, the specified plastics with specified additives will not require third party testing for compliance with the mandatory prohibitions on children's toys and child care articles containing phthalates.

**DATES:** The rule is effective on September 29, 2017.

**FOR FURTHER INFORMATION CONTACT:** John W. Boja, Lead Compliance Officer, Regulatory Enforcement, Office of Compliance and Field Operations, Consumer Product Safety Commission, 4330 East West Highway Bethesda, MD 20814-4408; telephone: 301-504-7300; email: [jboja@cpsc.gov](mailto:jboja@cpsc.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

##### 1. Third Party Testing and Burden Reduction

Section 14(a) of the Consumer Product Safety Act, (CPSA), as amended by the Consumer Product Safety Improvement Act of 2008 (CPSIA), requires that manufacturers of products subject to a consumer product safety rule or similar rule, ban, standard, or regulation enforced by the CPSC, must

certify that the product complies with all applicable CPSC-enforced requirements. 15 U.S.C. 2063(a). For children's products, certification must be based on testing conducted by a CPSC-accepted third party conformity assessment body. *Id.* Public Law 112-28 (August 12, 2011) amended the CPSA and directed the CPSC to seek comment on "opportunities to reduce the cost of third party testing requirements consistent with assuring compliance with any applicable consumer product safety rule, ban, standard, or regulation." Public Law 112-28 also authorized the Commission to issue new or revised third party testing regulations if the Commission determines "that such regulations will reduce third party testing costs consistent with assuring compliance with the applicable consumer product safety rules, bans, standards, and regulations." 15 U.S.C. 2063(d)(3)(B).

##### 2. Prohibitions in Section 108 of the CPSIA

Section 108(a) of the CPSIA permanently prohibits the manufacture for sale, offer for sale, distribution in commerce, or importation into the United States of any "children's toy or child care article" that contains concentrations of more than 0.1 percent of di(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), or butyl benzyl phthalate (BBP). 15 U.S.C. 2057c(a). Section 108(b)(1) prohibits on an interim basis (*i.e.*, until the Commission promulgates a final rule), the manufacture for sale, offer for sale, distribution in commerce, or importation into the United States of "any children's toy that can be placed in a child's mouth" or "child care article" containing concentrations of more than 0.1 percent of diisononyl phthalate (DINP), diisodecyl phthalate (DIDP), or di-*n*-octyl phthalate (DNOP). 15 U.S.C. 2057c(b)(1). Children's toys and child care articles subject to the content limits in section 108 of the CPSIA require third party testing for compliance with the phthalate content limits before the manufacturer can issue a Children's Product Certificate (CPC) and enter the children's toys or child care articles into commerce.

The CPSIA required the Commission to appoint a Chronic Hazard Advisory Panel (CHAP) to "study the effects on children's health of all phthalates and phthalate alternatives as used in children's toys and child care articles." 15 U.S.C. 2057c(b)(2). The CHAP issued