

**2012–21–12 Bombardier, Inc.:** Amendment 39–17228. Docket No. FAA–2012–0726; Directorate Identifier 2012–NM–023–AD.

**(a) Effective Date**

This airworthiness directive (AD) becomes effective December 4, 2012.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Bombardier, Inc. Model DHC–8–400, –401, and –402 airplanes, certificated in any category, serial numbers 4001 through 4346 inclusive.

**(d) Subject**

Air Transport Association (ATA) of America Code 32: Landing gear.

**(e) Reason**

This AD was prompted by cases of on-ground hydraulic accumulator/screw cap/end cap failure, resulting in high-energy impact damage to adjacent systems and structure. We are issuing this AD to prevent failure of the screw caps and/or end caps of the hydraulic and parking brake accumulators, which could result in damage to the airplane's primary structures, with potential adverse effect on the airplane's controllability.

**(f) Compliance**

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**(g) Inspection/Replacement of the Parking Brake Hydraulic Accumulator**

For airplanes having serial numbers 4001 through 4337 inclusive: Within 1,200 flight hours or 6 months after the effective date of this AD, whichever comes first, inspect the parking brake hydraulic accumulator to determine the part number and serial number, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 84–32–88, dated February 16, 2011.

(1) If the part number of the parking brake hydraulic accumulator can be determined by the inspection required by paragraph (g) of this AD, and is not identified in paragraph 1., Effectivity, of Goodrich Service Bulletin 08 60197 001–32–70 R2, dated February 1, 2011: No further action is required by this paragraph.

(2) If the part number and serial number of the parking brake hydraulic accumulator cannot be determined by the inspection required by paragraph (g) of this AD, or is identified in paragraph 1. Effectivity, of Goodrich Service Bulletin 08 60197 001–32–70 R2, dated February 1, 2011: Before further flight, replace the parking brake hydraulic accumulator, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 84–32–88, dated February 16, 2011.

**(h) Relocation of the Parking Brake Hydraulic Accumulator**

(1) For airplanes having serial numbers 4001 through 4068 inclusive, 4070 through

4214 inclusive, 4216, 4219 through 4261 inclusive, and 4263 through 4346 inclusive: Within 6,000 flight hours after the effective date of this AD, relocate the parking brake hydraulic accumulator, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 84–32–87, Revision B, dated November 22, 2011.

(2) Accomplishing the actions specified in paragraph (h)(1) of this AD in accordance with previous revisions of Bombardier Service Bulletin 84–32–87 does not meet the requirements of paragraph (h)(1) of this AD.

**(i) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office (ACO), 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 ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone 516–228–7300; fax 516–794–5531. 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. The AMOC approval letter must specifically reference this AD.

(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.

**(j) Related Information**

Refer to MCAI Canadian Airworthiness Directive CF–2012–04, dated January 13, 2012, and the service information identified in paragraphs (j)(1) through (j)(3) of this AD, for related information.

(1) Bombardier Service Bulletin 84–32–87, Revision B, dated November 22, 2011.

(2) Bombardier Service Bulletin 84–32–88, dated February 16, 2011.

(3) Goodrich Service Bulletin 08 60197 001–32–70 R2, dated February 1, 2011.

**(k) 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) Bombardier Service Bulletin 84–32–87, Revision B, dated November 22, 2011.

(ii) Bombardier Service Bulletin 84–32–88, dated February 16, 2011.

(iii) Goodrich Service Bulletin 08 60197 001–32–70 R2, dated February 1, 2011.

(3) For Bombardier, Inc., service information identified in this AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email [thd.qseries@aero.bombardier.com](mailto:thd.qseries@aero.bombardier.com); Internet <http://www.bombardier.com>. For Goodrich service information identified in this AD, contact Goodrich Corporation, Landing Gear, 1400 South Service Road, West Oakville L6L 5Y7, Ontario, Canada; telephone 905–825–1568; email [jean.breed@goodrich.com](mailto:jean.breed@goodrich.com); Internet <http://www.goodrich.com/TechPubs>.

(4) You may review copies of the service information at the FAA, Transport Airplane Directorate, 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 October 11, 2012.

**Ali Bahrami,**

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

[FR Doc. 2012–26077 Filed 10–29–12; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG–2012–0895]

**Drawbridge Operation Regulations; Taunton River, MA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation; request for comments.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Veterans Memorial Bridge across the Taunton River, mile 2.1, between Fall River and Somerset, Massachusetts. This deviation will test a change to the drawbridge operation schedule to determine whether a permanent change to the schedule is needed. This deviation will allow us to test an operating schedule to help determine the hours the bridge should be crewed. It is expected that this test will help determine the best operating schedule that will meet the present and future needs of navigation. **DATES:** This deviation is effective from December 1, 2012, through May 29, 2013.

Comments and related material must be received by the Coast Guard on or before June 1, 2013. Requests for public meetings must be received by the Coast Guard on or before March 1, 2013.

**ADDRESSES:** You may submit comments identified by docket number USCG–2012–0895 using any one of the following methods:

(1) *Federal eRulemaking Portal:*  
<http://www.regulations.gov>.

(2) *Fax:* 202–493–2251.

(3) *Mail or Delivery:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202–366–9329.

See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments. To avoid duplication, please use only one of these four methods. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. John McDonald, Project Officer, First Coast Guard District bridge Program the Coast Guard; telephone 617–223–8364, email [john.w.mcdonald@uscg.mil](mailto:john.w.mcdonald@uscg.mil). If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Public Participation and Request for Comments**

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted, without change, to <http://www.regulations.gov> and will include any personal information you have provided.

##### *1. Submitting Comments*

If you submit a comment, please include the docket number for this rulemaking (USCG–2012–0895), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online (<http://www.regulations.gov>), or by fax, mail or

hand delivery, but please use only one of these means. If you submit a comment online via <http://www.regulations.gov>, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a phone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, insert “USCG–2012–0895” in the Search box, click “Search,” look for this notice of deviation in the docket and click on the “submit a comment” box on that same line. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

##### *2. Viewing Comments and Documents*

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, insert “USCG–2012–0895” in the Search box, and click “Search.” You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. We have an agreement with the Department of Transportation to use the Docket Management Facility.

##### *3. Privacy Act*

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

##### *4. Public Meeting*

We do not now plan to hold a public meeting. But you may submit a request

for one on or before March 1, 2013, using one of the four methods specified under **ADDRESSES**. Please explain why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

##### **B. Basis and Purpose**

The Veterans Memorial Bridge at mile 2.1, across the Taunton River between Somerset and Fall River, Massachusetts, has a vertical clearance of 60 feet at mean high water and 66 feet at mean low water. The horizontal clearance is 200 feet between the bridge protective fenders. The drawbridge operation regulations listed at 33 CFR 117.5, require the bridge to open on signal at all times.

The waterway users are predominantly seasonal recreational vessels.

The Veterans Memorial Bridge is a newly constructed double leaf bascule highway bridge at mile 2.1, upstream from the existing Brightman Street Route 6 highway bridge at mile 1.8, across the Taunton River.

The owner of the bridge, Massachusetts Department of Transportation, submitted a request to the Coast Guard to change the drawbridge operating regulations that presently require the draw to be crewed 24 hours a day and open on signal at all times.

The bridge owner proposes to crew the bridge less than 24 hours a day and operate the bridge as follows: The draw shall open on signal between 5 a.m. and 9 p.m. daily. From 9 p.m. through 5 a.m., the draw shall open on signal after at least a 1-hour advance notice is given by calling the number posted at the bridge. From 6 p.m. on December 24 to midnight on December 25, and from 6 p.m. on December 31 to midnight on January 1, the draw shall open on signal if at least a 2-hour advance notice is given by calling the number posted at the bridge.

The Coast Guard has decided to test the designated operating hours for the new bridge for 180 days to help determine if this schedule will meet the reasonable needs of navigation that presently transit the new bridge. Since this is a new bridge there is no historical record of bridge openings to help us determine if this request is reasonable.

It is anticipated that due to the high vertical clearance of 60 feet at mean high water and 66 feet at mean low, that the bridge should not be required to open frequently except for large sail vessels.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 16, 2012.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. 2012-26600 Filed 10-29-12; 8:45 am]

BILLING CODE 9110-04-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2011-0906]

RIN 1625-AA87

#### Security Zone; Cruise Ships, Santa Barbara Harbor, Santa Barbara, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard has established fixed security zones around and under any cruise ships visiting Santa Barbara Harbor, Santa Barbara, California. This regulation was created for national security reasons to protect cruise ships, vessels, users of the waterway and the port from potential terrorist acts. These security zones encompass all navigable waters from the surface to the sea floor within a 100-yard radius of any cruise ship located within 3 nautical miles of the Santa Barbara Harbor Breakwater Light (Light List Number 3750). Mariners can determine the exact time and date of these zones via Broadcast Notice to Mariners, or via visual verification of the cruise ships on AIS. Entries into these zones are prohibited unless specifically authorized by the Captain of the Port (COTP) Los Angeles—Long Beach (LA-LB), or his designated representative.

**DATES:** This rule is effective November 29, 2012.

**ADDRESSES:** Documents mentioned in this preamble are part of docket [USCG-2011-0906]. To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room

W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email LTJG Brett DiManno, USCG, Waterways Management, U.S. Coast Guard Sector Los Angeles—Long Beach at (310) 521-3860, or [Brett.M.DiManno@uscg.mil](mailto:Brett.M.DiManno@uscg.mil). If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone (202) 366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Table of Acronyms

DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of Proposed Rulemaking

##### A. Regulatory History and Information

This rule was proposed and published in the *Federal Register* on June 20, 2012 (77 FR 36955). Previously, temporary security zones had been established for cruise ships operating in Santa Barbara.

##### B. Basis and Purpose

In its effort to thwart terrorist activity, the Coast Guard has increased safety and security measures on U.S. ports and waterways. As part of the Diplomatic Security and Antiterrorism Act of 1986 (Pub. L. 99-399), Congress added section 7 of the Ports and Waterways Safety Act (PWSA), 33 U.S.C. 1226, to allow the Coast Guard to take actions, including the establishment of security and safety zones, to prevent or respond to acts of terrorism against individuals, vessels, or public or commercial structures. The Coast Guard also has authority to establish security zones pursuant to the Magnuson Act (50 U.S.C. 191 *et seq.*) and implementing regulations promulgated by the President in subparts 6.01 and 6.04 of part 6 of title 33 of the Code of Federal Regulations.

In order to address the aforementioned security concerns, and to take steps to prevent the catastrophic impact that a terrorist attack against a cruise ship would have on the public interest, the Coast Guard has established security zones around and under cruise ships visiting Santa Barbara Harbor, Santa Barbara, California. This security zone helps the Coast Guard to prevent vessels or persons from engaging in terrorist actions against cruise ships. The Coast Guard has determined the establishment of security zones is prudent for cruise ships because they carry a multitude of passengers.

Based on experience with security zone enforcement operations, the Captain of the Port (COTP) Los Angeles—Long Beach has concluded that these security zones will encompass all navigable waters from the surface to the sea floor within a 100-yard radius of any cruise ship which is located within 3 nautical miles of the Santa Barbara Harbor Breakwater Light (Light List Number 3750; 34-24-17.364 N, 119-41-16.260W). These security zones are necessary to provide for the safety of the cruise ship, vessels, and users of the waterway.

##### C. Discussion of Comments, Changes and the Final Rule

The Coast Guard received one comment to the proposed rule. The comment suggested that Automatic Identification System (AIS) be used to advertise the location of the security zone. The Coast Guard agrees in principle with the comment; however, we made no regulatory changes. While mariners with AIS may be able to locate cruise ships in the Santa Barbara area, the majority of boaters will be able to locate the cruise ships visually, due to the small geographic size and depth restrictions of the harbor. In an effort to keep mariners informed, the Coast Guard will continue to advertise active security zones via broadcast notice to mariner.

##### D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

###### 1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation is unnecessary. Although this regulation restricts access to a portion of navigable waters, the effect of this regulation is not significant because:

- (i) The zones only encompass a small portion of the waterway;
- (ii) vessels are able to pass safely around the zones; and
- (iii) vessels may be allowed to enter these zones on a case-by-case basis with permission of the Captain of the Port