

# Rules and Regulations

Federal Register

Vol. 75, No. 105

Wednesday, June 2, 2010

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## FARM CREDIT ADMINISTRATION

12 CFR Parts 611, 613, 615, 619 and 620

RIN 3052-AC43

**Organization; Eligibility and Scope of Financing; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Definitions; and Disclosure to Shareholders; Director Elections; Effective Date**

**AGENCY:** Farm Credit Administration.

**ACTION:** Notice of effective date.

**SUMMARY:** The Farm Credit Administration (FCA or Agency), through the FCA Board (Board), issued a final rule under parts 611, 613, 615, 619 and 620 on April 12, 2010 (75 FR 18726) amending FCA's regulations to clarify director election processes and update FCA regulations to incorporate interpretations made through bookletters to Farm Credit System institutions. In accordance with 12 U.S.C. 2252, the effective date of the final rule is 30 days from the date of publication in the **Federal Register** during which either or both Houses of Congress are in session. Based on the records of the sessions of Congress, the effective date of the regulations is May 24, 2010.

**DATES:** *Effective Date:* Under the authority of 12 U.S.C. 2252, the regulation amending 12 CFR parts 611, 613, 615, 619 and 620 published on April 12, 2010 (75 FR 18726) is effective May 24, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Elna Luopa, Senior Corporate Analyst, Office of Regulatory Policy, Farm Credit Administration, McLean, Virginia 22102-5090, (703) 883-4498, TTY (703) 883-4434, or  
 Laura D. McFarland, Senior Counsel, Office of General Counsel, Farm Credit Administration, McLean,

Virginia 22102-5090, (703) 883-4020, TTY (703) 883-4020.

(12 U.S.C. 2252(a)(9) and (10))

Dated: May 26, 2010.

**Roland E. Smith,**

*Secretary, Farm Credit Administration Board.*

[FR Doc. 2010-13110 Filed 6-1-10; 8:45 am]

**BILLING CODE 6705-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2007-27009; Directorate Identifier 2007-NE-02-AD; Amendment 39-16322; AD 2007-19-09R1]

RIN 2120-AA64

**Airworthiness Directives; Turbomeca Arriel 2B1 Turboshaft Engines**

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

**ACTION:** Final rule.

**SUMMARY:** We are revising an existing 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:

Since the issuance of AD 2007-0126 Turbomeca has released modification TU157 which consists in modifying the pressure relief valve of the HMU by introducing a damping device into the valve. Introduction of this device has demonstrated to decrease the pressure fluctuations in the system, therefore reducing significantly the risk of wear of the delta-P diaphragm fabric. This will delete the need for a periodical replacement of the delta-P diaphragm before overhaul of the HMU. The modification TU157 is therefore considered as the terminating action for this AD.

We are issuing this AD to prevent the loss of automatic control mode coupled with the deteriorated performance of the backup mode, which can lead to the inability to continue safe flight, forced autorotation landing, or an accident.

**DATES:** This AD becomes effective July 7, 2010.

**ADDRESSES:** The Docket Operations office is located at Docket Management

Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

**FOR FURTHER INFORMATION CONTACT:**

Kevin Dickert, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [kevin.dickert@faa.gov](mailto:kevin.dickert@faa.gov); telephone (781) 238-7117; fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on March 22, 2010 (75 FR 13451). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states that:

Since the issuance of AD 2007-0126 Turbomeca has released modification TU157 which consists in modifying the pressure relief valve of the HMU by introducing a damping device into the valve. Introduction of this device has demonstrated to decrease the pressure fluctuations in the system, therefore reducing significantly the risk of wear of the delta-P diaphragm fabric. This will delete the need for a periodical replacement of the delta-P diaphragm before overhaul of the HMU. The modification TU157 is therefore considered as the terminating action for this AD.

**Comments**

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

**Mandatory Service Bulletin Reference Added**

Since we issued the proposed AD, Turbomeca issued Mandatory Service Bulletin (MSB) No. 292 73 2818, Version C, dated January 29, 2009. We added that reference to paragraph (e)(2)(iii) of the AD.

**Conclusion**

We reviewed the available data and determined that air safety and the public interest require adopting the AD with the change described previously.

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

The MCAI applies to the ARRIEL 2B1 and 2B1A engines. The ARRIEL 2B1A engine is not type certificated in the United States, so this AD applies to the ARRIEL 2B1 engine model only.

### Costs of Compliance

Based on the service information, we estimate that this AD will affect about 103 products of U.S. registry. We also estimate that it will take about 0.75 work-hour per product to comply with this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$10,550 per product. Based on these figures, we estimate the cost of the AD on U.S. operators to be \$1,093,216.

### 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.

### 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 provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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 removing amendment 39-15200 (72 FR 53112, September 18, 2007), and adding the following new AD:

**2007-19-09R1 Turbomeca:** Amendment 39-16322. Docket No. FAA-2007-27009; Directorate Identifier 2007-NE-02-AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective July 7, 2010.

#### Affected ADs

(b) This AD revises AD 2007-19-09, Amendment 39-15200.

#### Applicability

(c) This AD applies to Turbomeca ARRIEL 2B1 turboshaft engines that don't incorporate modification TU157. These engines are installed on, but not limited to, Eurocopter AS 350 B3 and EC 130 B4 helicopters.

#### Reason

(d) European Aviation Safety Agency (EASA) AD No. 2009-0091, dated May 4, 2009, states:

Since the issuance of AD 2007-0126 Turbomeca has released modification TU157 which consists in modifying the pressure relief valve of the HMU by introducing a damping device into the valve. Introduction of this device has demonstrated to decrease the pressure fluctuations in the system,

therefore reducing significantly the risk of wear of the delta-P diaphragm fabric. This will delete the need for a periodical replacement of the delta-P diaphragm before overhaul of the HMU. The modification TU157 is therefore considered as the terminating action for this AD.

We are issuing this AD to prevent the loss of automatic control mode coupled with the deteriorated performance of the backup mode, which can lead to the inability to continue safe flight, forced autorotation landing, or an accident.

### Actions and Compliance

(e) Unless already done, do the following actions.

(1) For ARRIEL 2B1 engines that incorporate modification TU157, no further action is required.

(2) For all other ARRIEL 2B1 engines do the following:

(i) Replace the hydromechanical metering unit (HMU) with a serviceable HMU before the HMU accumulates 1,500 hours-since-new, hours-since-last-overhaul (HSO), or since incorporation of Turbomeca Service Bulletin (SB) No. 292 73 2105, whichever occurs later.

(ii) Thereafter, replace the HMU with a serviceable HMU at every 1,500 hours-since new, since last overhaul, or since incorporation of Turbomeca SB No. 292 73 2105, whichever occurs later.

(iii) For the purposes of this AD, a serviceable HMU is an HMU fitted with a new constant delta P diaphragm in accordance with Turbomeca Mandatory Service Bulletin (MSB) No. 292 73 2818, Original Issue, Dated October 18, 2006, Update No. 1, dated April 3, 2007, or Version C, dated January 29, 2009.

### Optional Terminating Action

(3) Replacing the HMU with an HMU that has been modified to TU157 terminates the repetitive requirement of paragraph (e)(2)(ii) of this AD.

### FAA AD Differences

(f) This AD differs from the Mandatory Continuing Airworthiness Information (MCAI) because the MCAI applies to the ARRIEL 2B1 and 2B1A engines. The ARRIEL 2B1A engine is not type certificated in the United States, so this proposed AD applies to the ARRIEL 2B1 engine model only.

### Alternative Methods of Compliance (AMOCs)

(g) 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.

### Related Information

(h) Contact Kevin Dickert, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [kevin.dickert@faa.gov](mailto:kevin.dickert@faa.gov); telephone (781) 238-7117; fax (781) 238-7199, for more information about this AD.

### Material Incorporated by Reference

(i) None.

Issued in Burlington, Massachusetts, on May 24, 2010.

Peter A. White,

Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2010-13133 Filed 6-1-10; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2010-0367; Airspace Docket No. 10-AWA-2]

RIN 2120-AA66

#### Modification of Class C Airspace; Beale Air Force Base, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This action modifies the legal description of the Beale Air Force Base (AFB), CA, Class C airspace area by allowing the hours of operation to be announced in advance by a Notice to Airmen (NOTAM). The effective hours of the Beale AFB Class C airspace area will be consistent with the actual hours of operation of the Beale AFB Airport Traffic Control Tower (ATCT).

**DATES:** Effective date 0901 UTC, June 18, 2010. 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:** Ken McElroy, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### History

The Beale AFB ATCT has reduced its hours of operation. During the times that Beale ATCT is not operational, Class C ATC Services are not available and the airspace reverts to Class E airspace. A requirement for Class C airspace is an operational ATCT. During the times that Beale ATCT is closed, Class C air traffic services are not available. Therefore, there is a need to publish the effective hours of operation for the Beale AFB Class C airspace area to coincide with those times that Class C ATC services are available. The Beale AFB Class C airspace area remains an essential safety measure in support of

the ongoing airport operational requirements.

#### The Rule

This action amends Title 14 Code of Federal Regulations (CFR) part 71 by modifying the legal description of the Beale AFB, CA, Class C airspace area. The Beale AFB Class C airspace area is designated effective during the specific dates and times established in advance by NOTAM. The effective days and times will thereafter be continuously published in the Airport/Facility Directory, in concert with current Beale AFB ATCT operating hours. During the times that Beale ATCT is not operational, the airspace reverts to Class E airspace.

Class C Airspace areas are published in paragraph 4000 of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR 71.1. The Class C airspace listed in this document will be published subsequently in the Order.

In consideration of the need to change the Beale AFB Class C airspace effective hours of operation to be consistent with the actual operating hours of the Beale AFB ATCT, and conform with FAA regulations for Class C airspace, the FAA finds good cause, pursuant to U.S.C. 553(d), for making this amendment effective in less than 30 days in order to promote the safe and efficient handling of air traffic in the area.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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.

This rulemaking is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies Class C airspace for Beale AFB, CA.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

##### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009, and effective September 15, 2009, is amended as follows:

*Paragraph 4000 Subpart C—Class C Airspace.*

\* \* \* \* \*

#### AWP CA C Beale AFB, CA [Modified]

Beale AFB, CA

(Lat. 39°08'10" N., long. 121°26'12" W.)

That airspace extending upward from the surface to and including 4,100 feet MSL within a 5-mile radius of Beale AFB, and that airspace extending upward from 1,600 feet MSL to 4,100 feet MSL within a 10-mile radius of Beale AFB from the 127° bearing from the airport clockwise to the 007° bearing from the airport, and that airspace extending upward from 2,600 feet MSL to 4,100 feet MSL within a 10-mile radius of the airport