

independent trust Federal savings associations with fiduciary and related assets in excess of \$1 billion. \* \* \*

(iii) Surcharge based on the condition of the bank or of the Federal savings association. \* \* \*

(2) Trust banks affiliated with full-service national banks and trust Federal savings associations affiliated with full-service Federal savings associations. The OCC will assess a trust bank and a trust Federal savings association in accordance with paragraph (c)(1) of this section, notwithstanding that the bank is affiliated with a full-service national bank, or that the Federal savings association is affiliated with a full-service Federal savings association, if the OCC concludes that the affiliation is intended to evade the assessment regulation.

(3) \* \* \* (ii) Affiliate, with respect to Federal savings associations, has the same meaning as in 12 U.S.C. 1462(9).

(iv) Full-service Federal savings association is a Federal savings association that generates more than 50% of its interest and non-interest income from activities other than credit card operations or trust activities and is authorized according to its charter to engage in all types of activities permissible for Federal savings associations.

(vi) Independent trust Federal savings association is a Federal savings association that has trust powers, does not primarily offer full-service banking, and is not affiliated with a full-service Federal savings association;

(vii) Fiduciary and related assets for national banks are those assets reported on Schedule RC-T of FFIEC Forms 031 and 041, Line 10 (columns A and B) and Line 11 (column B), any successor form issued by the FFIEC, and any other fiduciary and related assets defined in the Notice of Comptroller of the Currency Fees; and

(viii) Fiduciary and related assets for Federal savings associations are those assets reported on Schedule FS of OTS Form 1313, Line FS21, any successor form issued by the OTS, and any other fiduciary and related assets defined in the Notice of Comptroller of the Currency Fees.

42. Effective December 31, 2011, add the word "and" at the end of paragraph (vi), revise paragraph (c)(3)(vii) to read as follows, and remove paragraph (c)(3)(viii).

§ 8.6 Fees for special examinations and investigations.

\* \* \* \* \*

(c) \* \* \* (3) \* \* \*

(vii) Fiduciary and related assets are those assets reported on Schedule RC-T of FFIEC Forms 031 and 041, Line 10 (columns A and B) and Line 11 (column B), any successor form issued by the FFIEC, and any other fiduciary and related assets defined in the Notice of Comptroller of the Currency Fees.

§ 8.7 [Amended]

43. Amend § 8.7. paragraph (a), by removing "and" after "Federal branch"; adding ", and each Federal savings association" after "each Federal agency"; and adding ", each Federal savings association," after "each national bank".

PART 28—INTERNATIONAL BANKING ACTIVITIES

44a. The authority citation for part 28 continues to read as follows:

Authority: 12 U.S.C. 1 et seq., 24 (Seventh), 93a, 161, 602, 1818, 3101 et seq., and 3901 et seq.

§ 28.16 [Amended]

44b. Section 28.16 is amended by removing in paragraph (b) the term "\$100,000" and adding in its place "the standard maximum deposit insurance amount as defined in 12 U.S.C. 1821(a)(1)(E)".

PART 34—REAL ESTATE LENDING AND APPRAISALS

45. The authority citation for part 34 is revised to read as follows:

Authority: 12 U.S.C. 1 et seq., 25b, 29, 93a, 371, 1465, 1701j-3, 1828(o), 3331 et seq., and 5412(b)(2)(B).

Subpart A—General

46. Amend § 34.4 by: a. Revising paragraph (a) introductory text; b. Revising paragraph (b) introductory text; and c. Revising paragraph (b)(9). The revisions read as follows:

§ 34.4 Applicability of state law.

(a) A national bank may make real estate loans under 12 U.S.C. 371 and § 34.3, without regard to state law limitations concerning:

\* \* \* \* \*

(b) State laws on the following subjects are not inconsistent with the real estate lending powers of national banks and apply to national banks to the extent consistent with the decision of the Supreme Court in Barnett Bank of Marion County, N.A. v. Nelson, Florida Insurance Commissioner, et al., 517 U.S. 25 (1996):

\* \* \* \* \*

(9) Any other law that the OCC determines to be applicable to national banks in accordance with the decision of the Supreme Court in Barnett Bank of Marion County, N.A. v. Nelson, Florida Insurance Commissioner, et al., 517 U.S. 25 (1996), or that is made applicable by Federal law.

47. Add § 34.6 to subpart A to read as follows:

§ 34.6 Applicability of state law to Federal savings associations and subsidiaries.

In accordance with section 1046 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 25b), state laws apply to Federal savings associations and their subsidiaries to the same extent and in the same manner that those laws apply to national banks and their subsidiaries.

Dated: May 19, 2011.

John Walsh,

Acting Comptroller of the Currency.

[FR Doc. 2011-12859 Filed 5-25-11; 8:45 am]

BILLING CODE 4810-33-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2011-0278; Directorate Identifier 2010-NE-10-AD]

RIN 2120-AA64

Airworthiness Directives; General Electric Company (GE) GE90-110B1 and GE90-115B Turbofan Engines

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, with certain part number (P/N) high-pressure compressor (HPC) stages 2-5 spools installed. This proposed AD would require eddy current inspection (ECI) or spot fluorescent penetrant inspection (FPI) of the stages 1-2 rotating seal teeth of the HPC stages 2-5 spool for cracks and would prohibit installation of HPC stator stage 1 interstage seals that are not pregrooved to prevent heavy rubs. This proposed AD was prompted by an aborted takeoff and two shop findings of cracks in the stages 1-2 rotating seal teeth. We are proposing this AD to detect cracks in the HPC stages 1-2 rotating seal teeth due to heavy rubs, which could result in failure of the stages 1-2 rotating seal of the HPC

stages 2–5 spool, uncontained engine failure, and damage to the airplane.

**DATES:** We must receive any comments on this proposed AD by July 11, 2011.

**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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact General Electric, GE-Aviation, Room 285, 1 Newman Way, Cincinnati, Ohio 45215; e-mail: [gae.aoc@ge.com](mailto:gae.aoc@ge.com); phone: 513–552–3272; fax: 513–552–3329. You may review copies of the referenced service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; 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 proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Jason Yang, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781–238–7747; fax: 781–238–7199; e-mail: [jason.yang@faa.gov](mailto:jason.yang@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send us any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA–2011–0278; Directorate Identifier 2010–NE–10–AD” in the subject line 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 the proposed 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 we receive about this proposed AD.

#### Discussion

We received a report of an engine failure caused by the liberation of a portion of the HPC stages 1–2 rotating seal teeth, and subsequent reports of HPC stages 1–2 rotating seal teeth cracks, due to heavy rubs, found in engines in the shop. The heavy rubs are due to insufficient clearance between the rotating seal teeth and the abradable coating on the static seal. This proposed AD would require ECI or spot FPI of the stages 1–2 rotating seal teeth of the HPC stages 2–5 spool for cracks, and would prohibit installation of HPC stator stage 1 interstage seals that are not pregrooved in order to prevent heavy rubs. This condition, if not corrected, could result in failure of the stages 1–2 rotating seal of the HPC stages 2–5 spool, uncontained engine failure, and damage to the airplane.

#### Relevant Service Information

We reviewed GE Service Bulletin (SB) GE90–100 S/B 72–0320, Revision 02, dated October 1, 2010. That service information describes procedures for inspecting the stages 1–2 seal teeth for cracks.

#### FAA’s Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design.

#### Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in the service information described previously.

#### Costs of Compliance

We estimate that this proposed AD would affect 19 GE90–110B1 and GE90–115B engines installed on airplanes of U.S. registry. We also estimate that it would take about 2 work-hours per engine to perform the proposed actions, and that the average labor rate is \$85 per work-hour. Required parts would cost about \$9,857 per engine. Based on these figures, we estimate the total cost of the

proposed AD to U.S. operators to be \$190,513.

#### 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 that the 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);
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.

#### 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 airworthiness directive (AD):

**General Electric Company:** Docket No. FAA-2011-0278; Directorate Identifier 2010-NE-10-AD.

#### Comments Due Date

(a) We must receive comments by July 11, 2011.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to General Electric Company (GE) GE90-110B1 and GE90-115B turbofan engines with high-pressure compressor (HPC) stages 2-5 spools, part numbers (P/Ns) 351-103-106-0, 351-103-107-0, 351-103-108-0, 351-103-109-0, 351-103-141-0, 351-103-142-0, 351-103-143-0 and 351-103-144-0, installed.

#### Unsafe Condition

(d) This AD was prompted by an aborted takeoff and two shop findings of cracks in the stages 1-2 rotating seal teeth. We are issuing this AD to detect cracks in the HPC stages 1-2 rotating seal teeth due to heavy rubs, which could result in failure of the stages 1-2 rotating seal of the HPC stages 2-5 spool, uncontained engine failure, and damage to the airplane.

#### Compliance

(e) Comply with this AD when the HPC forward case half is removed from the engine after the effective date of this AD, unless the actions have already been done.

#### Inspection

(f) Perform an eddy current inspection or a fluorescent penetrant inspection of the stage 1-2 seal teeth using paragraphs 3.B. or 3.C. of GE Service Bulletin (SB) GE90-100 S/B 72-0320, Revision 02, dated October 1, 2010.

#### Disposition of Spools with Cracked Seal Teeth

(g) If you find cracks, remove the HPC stages 2-5 spool from service.

#### Previous Credit

(h) An inspection performed before the effective date of this AD using SB GE90-100 S/B 72-0320 Revision 01, dated May 11, 2010, or earlier revision, satisfies the inspection requirement of this AD.

#### Installation Prohibition

(i) After the effective date of this AD, do not install any HPC forward case unless it has an HPC stator stage 1 interstage seals, P/N 351-109-503-0.

#### Alternative Methods of Compliance (AMOCs)

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

#### Related Information

(k) Contact Jason Yang, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781-238-7747; fax: 781-238-7199; e-mail: [jason.yang@faa.gov](mailto:jason.yang@faa.gov), for more information about this AD.

(l) GE Service Bulletin GE90-100 S/B 72-0320, Revision 02, dated October 1, 2010, pertain to the subject of this AD. Contact General Electric, GE-Aviation, Room 285, 1 Newman Way, Cincinnati, Ohio 45215; e-mail: [geae.aoc@ge.com](mailto:geae.aoc@ge.com); phone: 513-552-3272; fax: 513-552-3329, for a copy of this service information.

Issued in Burlington, Massachusetts, on May 20, 2011.

**Peter A. White,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 2011-13013 Filed 5-25-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket No. USCG-2009-0558]

RIN 1625-AA08

#### Eleventh Coast Guard District Annual Marine Events

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard proposes to clarify the verbiage in the list of marine events occurring annually within the Eleventh Coast Guard District. This supplemental notice of proposed rulemaking changes the proposed regulation by changing the dates of two of the proposed special local regulations and adds clarifying language to the proposed regulation within San Diego Captain of the Port zone. When these special local regulations are activated, and thus subject to enforcement, this rule would enable vessel movement restrictions in the regulated area.

**DATES:** Comments and related material must be received by the Coast Guard on or before June 27, 2011. Requests for public meetings must be received by the Coast Guard on or before June 15, 2011.

**ADDRESSES:** You may submit comments identified by docket number USCG-2009-0558 using any one of the following methods:

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

(2) *Fax:* 202-493-2251.

(3) *Mail:* 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.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

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 proposed rule, call or e-mail Lieutenant Lucas Mancini, Eleventh Coast Guard District Prevention Division, Waterways Management Branch, Coast Guard; telephone 510-437-3801, e-mail [Lucas.W.Mancini@uscg.mil](mailto:Lucas.W.Mancini@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:

#### 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.

#### Submitting comments

If you submit a comment, please include the docket number for this rulemaking (USCG-2009-0558), 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 (via <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 e-mail address, or a telephone number in the