

**(k) Material Incorporated by Reference**

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

(2) You must use the following service information to do the actions required by this AD, unless the AD specifies otherwise.

(3) The following service information was approved for IBR on April 11, 2012.

(i) Thielert Aircraft Engines (TAE) GmbH, TAE Service Bulletin (SB) No. TM TAE 125-1007 P1, Revision 3, October 17, 2011.

(4) The following service information was approved for IBR on July 13, 2010 (75 FR 32253, June 8, 2010).

(i) Thielert Aircraft Engines (TAE) GmbH, TAE SB No. TM TAE 125-1007 P1, Revision 2, April 29, 2009.

(ii) Thielert Aircraft Engines (TAE) GmbH, TAE SB No. TM TAE 125-1009 P1, Revision 3, dated October 14, 2009.

(iii) Thielert Aircraft Engines (TAE) GmbH, TAE SB No. TM TAE 125-0020, including Annexes A and B, Revision 1, dated November 25, 2009.

(iv) Thielert Aircraft Engines (TAE) GmbH, TAE SB No. TM TAE 125-0018, Revision 1, dated November 12, 2008.

(5) For service information identified in this AD, contact Thielert Aircraft Engines GmbH, Platanenstrasse 14 D-09350, Lichtenstein, Germany, phone: +49-37204-696-0; fax: +49-37204-696-2912; email: [info@centurion-engines.com](mailto:info@centurion-engines.com).

(6) 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.

(7) You may also review copies of the 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](http://www.archives.gov/federal-register/cfr/ibr_locations.html).

Issued in Burlington, Massachusetts, on February 24, 2012.

**Peter A. White,**

*Manager, Engine & Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 2012-5372 Filed 3-6-12; 8:45 am]

**BILLING CODE 4910-13-P**

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## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Part 200

[Release No. 34-66502]

#### Rules of Organization; Conduct and Ethics; and Information and Requests

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Securities and Exchange Commission (“SEC” or “Commission”)

is making technical amendments to the rule under which former members and employees of the Commission are required to file with the Commission a statement concerning their practice outside the government. The amendments change the office responsible for processing these statements and provide a means of filing a statement electronically.

**DATES:** *Effective:* March 7, 2012.

**FOR FURTHER INFORMATION CONTACT:** Shira Pavis Minton, Ethics Counsel, 202-551-7938, Office of the Ethics Counsel, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-9150.

**SUPPLEMENTARY INFORMATION:**

#### I. Background

SEC Conduct Rule 8(b)<sup>1</sup> requires that any former member or employee of the Commission who, within 2 years after ceasing to be such, is employed or retained as the representative of any person outside the government in any matter in which it is contemplated that he or she will appear before the Commission, or communicate with the Commission or its employees, shall, within ten days of such retainer or employment, or of the time when appearance before, or communication with the Commission or its employees is first contemplated, file with the Secretary of the Commission a statement which includes: (i) A description of the contemplated representation; (ii) An affirmative representation that the former employee while on the Commission’s staff had neither personal and substantial responsibility nor official responsibility for the matter which is the subject of the representation; and (iii) The name of the Commission Division or Office in which the person had been employed.

In order to increase efficiency, the Commission is adopting a technical amendment to require that SEC conduct rule 8(b) submissions be sent to the Office of the Ethics Counsel rather than the Secretary of the Commission and provide a means of filing a statement electronically.<sup>2</sup>

#### II. Administrative Law Matters

Under the Administrative Procedure Act, notice of proposed rulemaking is not required when an agency, for good cause, finds that notice and public comment are impracticable, unnecessary, or contrary to the public interest. The amendments are technical changes, adopted solely to update

references to a statutory provision that remains unchanged except for its designation. For this reason, the Commission finds that it is unnecessary to publish notice of these amendments. Similarly, the amendments do not require analysis under the Regulatory Flexibility Act or analysis of major rule status under the Small Business Regulatory Fairness Act. For purposes of Regulatory Flexibility Act analysis, the term “rule” means any rule for which the agency publishes a general notice of proposed rulemaking, and for purposes of Congressional review of agency rulemaking, the term “rule” does not include any rule of agency organization, procedure or practice that does not substantially affect the rights or obligations of non-agency parties.<sup>3</sup> Because these rules relate solely to the agency’s organization, procedure, or practice and do not substantially affect the rights or obligations of non-agency parties, they are not subject to the Small Business Regulatory Enforcement Fairness Act.<sup>4</sup> Finally, these amendments do not contain any new collection of information requirements as defined by the Paperwork Reduction Act of 1995, as amended.<sup>5</sup>

#### III. Cost-Benefit Analysis

The Commission is sensitive to the costs and benefits imposed by its rules. The amendments adopted today are technical in nature and will produce the benefit of facilitating the efficient operation of the Commission. The Commission also believes that these rules will not impose any costs on non-agency parties, or that if there are any such costs, they are negligible.

#### IV. Consideration of Burden on Competition

Section 23(a)(2)<sup>6</sup> of the Exchange Act requires the Commission, in adopting rules under the Exchange Act, to consider the competitive effects of such rules. Because this amendment merely makes technical changes to an existing requirement, no competitive advantages or disadvantages would be created.

#### V. Statutory Authority and Text of Amendments

We are adopting these technical amendments under the authority set forth in Section 23(a)<sup>7</sup> of the Exchange Act.

<sup>3</sup> 5 U.S.C. 601(2) and 5 U.S.C. 804(3)(C).

<sup>4</sup> 5 U.S.C. 804.

<sup>5</sup> 44 U.S.C. 3501-3520.

<sup>6</sup> 17 CFR 240.23(a)(2).

<sup>7</sup> 17 CFR 240.23(a).

<sup>1</sup> 17 CFR 200.735-8(b)(1).

<sup>2</sup> 17 CFR 200.735-8(b)(1).

**List of Subjects 17 CFR Part 200**

Administrative practice and procedure, Organization and functions (Government agencies), Reporting and recordkeeping requirements.

**Text of Amendments**

For the reasons set out in the preamble, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

**PART 200—RULES OF ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS****Subpart M—Regulation Concerning Conduct of Members and Employees and Former Members and Employees of the Commission**

■ 1. The authority citation for Part 200, Subpart M, continues to read in part as follows:

**Authority:** 15 U.S.C. 77s, 77sss, 78w, 80a–37, 80b–11; E.O. 11222, 3 CFR, 1964–1965 Comp., p. 36; 5 CFR 735.104; 5 CFR 2634; and 5 CFR 2635, unless otherwise noted.

■ 2. Section 200.735–8 is amended as follows:

■ a. In paragraph (b)(1) introductory text by removing the phrase “Secretary of the Commission” and adding in its place “Office of the Ethics Counsel”;

■ b. Paragraph (b)(2) is redesignated as paragraph (b)(3) and new paragraph (b)(2) is added to read as follows:

**§ 200.735–8 Practice by former members and employees of the Commission.**

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(b) \* \* \*

(2) The statement required by paragraph (b)(1) of this section may be filed electronically based on instructions provided by the Office of the Ethics Counsel at [www.sec.gov](http://www.sec.gov), or filed in paper by mailing to the U.S. Securities & Exchange Commission, Office of the Ethics Counsel, 100 F Street NE., Washington, DC 20549–9150.

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Dated: March 1, 2012.

**Elizabeth M. Murphy,**  
*Secretary.*

[FR Doc. 2012–5454 Filed 3–6–12; 8:45 am]

**BILLING CODE 8011–01–P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA–R04–OAR–2010–1036; FRL–9643–2]

**Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Georgia; Atlanta; Determination of Attainment by Applicable Attainment Date for the 1997 8-Hour Ozone Standards**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** EPA is determining that the Atlanta, Georgia, 1997 8-hour ozone nonattainment Area (hereafter referred to as “the Atlanta Area” or “the Area”) has attained the 1997 8-hour ozone national ambient air quality standards (NAAQS) by its applicable attainment date of June 15, 2011. The determination of attainment was made by EPA on June 23, 2011, and was based on quality-assured and certified monitoring data for the 2008–2010 monitoring period. The Atlanta Area is comprised of Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, Dekalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding and Walton Counties in Georgia. In this action EPA is determining that the above-identified Area attained the 1997 8-hour ozone NAAQS by its applicable attainment date. EPA is finalizing this action because it is consistent with the Clean Air Act (CAA) and its implementing regulations. Additionally, in this action EPA is clarifying an inadvertent citation error in the proposed approval for this action.

**DATES:** This final rule is effective on April 6, 2012.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA–R04–OAR–2010–1036. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) Web site. Although listed in the electronic docket, some information is not publicly available, i.e., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy for public inspection during normal business hours at the Regulatory

Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960.

**FOR FURTHER INFORMATION CONTACT:** For information regarding this attainment determination, contact Mr. Sean Lakeman, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Telephone number: (404) 562–9043; email address: [lakeman.sean@epa.gov](mailto:lakeman.sean@epa.gov). For information regarding 8-hour ozone NAAQS, contact Ms. Jane Spann, Regulatory Development Section, at the same address above. Telephone number: (404) 562–9029; email address: [spann.jane@epa.gov](mailto:spann.jane@epa.gov).

**SUPPLEMENTARY INFORMATION:**

- I. What action is EPA taking?
- II. What is the effect of this action?
- III. What is EPA’s final action?
- IV. Statutory and Executive Order Reviews

**I. What action is EPA taking?**

Based on EPA’s review of the quality-assured and certified monitoring data for 2008–2010, and in accordance with section 181(b)(2) of the CAA and EPA’s regulations, EPA is determining that the Atlanta Area attained the 1997 8-hour ozone NAAQS by the applicable attainment date of June 15, 2011.<sup>1</sup>

On June 23, 2011, EPA published a determination of attainment for the Atlanta Area, which served to suspend the requirements for the State to submit an attainment demonstration and associated reasonably available control measures (RACM), reasonable further progress (RFP) plan, contingency measures, and other planning State Implementation Plan (SIP) revisions related to attainment of the 1997 8-hour ozone NAAQS so long as the Area continues to attain the 1997 8-hour ozone NAAQS. *See* 76 FR 36873. This final rulemaking also includes useful background information on the 8-hour ozone NAAQS relevant to the Atlanta Area. Today’s action finalizes EPA’s determination that the Atlanta Area attained the 1997 8-hour ozone NAAQS

<sup>1</sup> Effective June 15, 2004, EPA designated the Atlanta Area as a marginal area under the 1997 8-hour ozone NAAQS. Subsequently, EPA took action to reclassify the Area to moderate for the 1997 8-hour ozone NAAQS. Moderate areas for the 1997 8-hour ozone NAAQS had an applicable attainment date of June 15, 2010, unless the area qualified for an extension. On November 30, 2010, EPA took final action to extend the applicable attainment date for the Atlanta Area to June 15, 2011. *See* 75 FR 73969 for more information.