

afforded by the rule as quickly as possible with industry's need to make adjustments to comply with the provisions of the rule.

IV. Section 1022(b)(2) of the Dodd-Frank Act

The Bureau is considering the potential benefits, costs, and impacts of the proposed rule.⁶ The Bureau requests comment on the preliminary analysis presented below as well as submissions of additional data that could inform the Bureau's analysis of the benefits, costs, and impacts of the proposed rule. The Bureau has consulted, or offered to consult with, the prudential regulators, SEC, HUD, VA, USDA, FHFA, the Federal Trade Commission, and the Department of the Treasury, including regarding consistency with any prudential, market, or systemic objectives administered by such agencies.

In part VII of the Final Rule, the Bureau previously considered the costs, benefits, and impact of § 1026.36(i) as adopted by the Final Rule. The Bureau believes that, compared to the baseline established by the Final Rule,⁷ the proposed delay of § 1026.36(i)'s effective date would generally benefit creditors and the credit insurance industry by delaying the start of ongoing compliance costs, and allowing time for a process to clarify the scope and compliance requirements of the regulation. Creditors and the credit insurance industry would benefit to the extent that the changes eliminate any disruptions in the provision of credit insurance products to consumers while interpretive questions concerning § 1026.36(i) are addressed. The Bureau believes that delaying the effective date of § 1026.36(i) would also delay the consumer benefit that would result from allowing the rule to take effect. Specifically, delaying the effective date would delay the prohibition on lump-sum credit insurance premiums added

to the loan amount at closing, which Congress sought to prohibit through TILA section 129C.

In addition, the proposed rule is not expected to have a differential impact on depository institutions and credit unions with \$10 billion or less in total assets as described in section 1026 of the Dodd-Frank Act or on consumers in rural areas. The Bureau does not believe that the proposed rule would meaningfully reduce consumers' access to consumer products and services.

V. Regulatory Flexibility Act Analysis

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct an initial regulatory flexibility analysis (IRFA) and a final regulatory flexibility analysis (FRFA) of any rule subject to notice-and-comment rulemaking requirements.⁸ These analyses must "describe the impact of the proposed rule on small entities."⁹ An IRFA or FRFA is not required if the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities,¹⁰ or if the agency considers a series of closely related rules as one rule for purposes of complying with the IRFA or FRFA requirements.¹¹ The Bureau also is subject to certain additional procedures under the RFA involving the convening of a panel to consult with small business representatives prior to proposing a rule for which an IRFA is required.¹²

The Bureau concludes that an IRFA is not required for this proposed rule because the proposed rule, if adopted, would not have a significant impact on a substantial number of small entities. As discussed above, the proposal would temporarily delay the June 1, 2013 effective date of § 1026.36(i), as adopted by the Final Rule, pending the finalization of a forthcoming proposal that will address certain interpretive questions that have arisen regarding the

application of the provision to non-lump sum credit insurance products. The Bureau will determine the new effective date when it finalizes that proposal. The delay in effective date will benefit small creditors by delaying the start of any ongoing compliance costs. Accordingly, the undersigned hereby certifies that the final rule will not have a significant economic impact on a substantial number of small entities.

VI. Paperwork Reduction Act Analysis

The Bureau may not conduct or sponsor, and, notwithstanding any other provision of law, a respondent is not required to respond to, an information collection unless it displays a currently valid OMB control number. Regulation Z currently contains collections of information approved by OMB. The Bureau's OMB control number for Regulation Z is 3170-0015. However, the Bureau has determined that this proposed rule would not materially alter these collections of information or impose any new recordkeeping, reporting, or disclosure requirements on the public that would constitute collections of information requiring approval under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* Comments on this determination may be submitted to the Bureau as instructed in the **ADDRESSES** section of this notice and to the attention of the Paperwork Reduction Act Officer.

Dated: May 7, 2013.

Richard Cordray,

Director, Bureau of Consumer Financial Protection.

[FR Doc. 2013-11223 Filed 5-8-13; 11:15 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2013-0368; Directorate Identifier 2012-NM-058-AD]

RIN 2120-AA64

Airworthiness Directives; the Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain The Boeing Company Model 777-200 and -300 series airplanes. This proposed AD was prompted by reports

⁶ Section 1022(b)(2)(A) of the Dodd-Frank Act, 12 U.S.C. 5521(b)(2), directs the Bureau, when prescribing a rule under the Federal consumer financial laws, to consider the potential benefits and costs of regulation to consumers and covered persons, including the potential reduction of access by consumers to consumer financial products or services; the impact on insured depository institutions and credit unions with \$10 billion or less in total assets as described in section 1026 of the Dodd-Frank Act; and the impact on consumers in rural areas. Section 1022(b)(2)(B) of the Dodd-Frank Act directs the Bureau to consult with appropriate prudential regulators or other Federal agencies regarding consistency with prudential, market, or systemic objectives that those agencies administer.

⁷ The Bureau has discretion in any rulemaking to choose an appropriate scope of analysis with respect to potential benefits and costs and an appropriate baseline.

⁸ 5 U.S.C. 601 *et seq.*

⁹ 5 U.S.C. 603(a). For purposes of assessing the impacts of the proposed rule on small entities, "small entities" is defined in the RFA to include small businesses, small not-for-profit organizations, and small government jurisdictions. 5 U.S.C. 601(6). A "small business" is determined by application of Small Business Administration regulations and reference to the North American Industry Classification System (NAICS) classifications and size standards. 5 U.S.C. 601(3). A "small organization" is any "not-for-profit enterprise which is independently owned and operated and is not dominant in its field." 5 U.S.C. 601(4). A "small governmental jurisdiction" is the government of a city, county, town, township, village, school district, or special district with a population of less than 50,000. 5 U.S.C. 601(5).

¹⁰ 5 U.S.C. 605(b).

¹¹ 5 U.S.C. 605(c).

¹² 5 U.S.C. 609.

of smoke or flames in the passenger cabin of various transport category airplanes related to the wiring for the passenger cabin in-flight entertainment (IFE) system, cabin lighting, and passenger seats. This proposed AD would require installing wiring and changing certain electrical load management system (ELMS) panels and other concurrent requirements to ensure the flightcrew is able to turn off electrical power to the IFE systems and other non-essential electrical systems through a switch in the flight compartment in the event of smoke or flames. In the event of smoke or flames in the airplane flight deck or passenger cabin, the flightcrew's inability to turn off electrical power to the IFE system and other non-essential electrical systems could result in the inability to control smoke or flames in the airplane flight deck or passenger cabin during a non-normal or emergency situation, and consequent loss of control of the airplane.

DATES: We must receive comments on this proposed AD by June 24, 2013.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, 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 Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone 206-544-5000, extension 1; fax 206-766-5680; Internet <https://www.myboeingfleet.com>. You may review copies of the referenced 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.

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: Ray Mei, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057-3356; phone: 425-917-6467; fax: 425-917-6590; email: raymont.mei@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send 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-2013-0368; Directorate Identifier 2012-NM-058-AD" at the beginning 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 this 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

In response to reports of smoke or flames in the passenger cabin of various models of transport category airplanes (The Boeing Company Model MD-11 and DC-9 airplanes and Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model L-1011 series airplanes), we conducted a comprehensive IFE systems review. Earlier investigation of the reports had revealed that the source of the smoke and flames was from cabin IFE system components, passenger seats, and cabin lighting.

We determined that, in order to minimize the risk of smoke or flames in the passenger cabin, a switch is needed in the flight compartment to enable the flightcrew to turn off electrical power to the IFE system and other non-essential electrical systems. In the event of smoke or flames in the airplane flight deck or passenger cabin, the flightcrew's inability to turn off power to the IFE system and other non-essential electrical systems, if not corrected,

could result in the inability to control smoke or flames in the airplane flight deck or passenger cabin during a non-normal or emergency situation.

Other Relevant Rulemaking

- For the Boeing Company Model 757-200 and -300 series airplanes: AD 2007-16-12, Amendment 39-15151 (72 FR 44740, August 9, 2007), requires changes to existing wiring; installation of new circuit breakers, relays, relay connectors, and wiring; and replacement of certain circuit breakers with higher-rated circuit breakers. For certain airplanes, that AD also requires modification of wiring of the control module assembly for the electrical systems.

- For the Boeing Company Model 767-200, -300, and -400ER series airplanes: AD 2008-23-15, Amendment 39-15736 (73 FR 70267, November 20, 2008), requires installing new relay(s), circuit breakers (as applicable), and wiring to allow the flightcrew to turn off electrical power to the IFE systems and certain circuit breakers through a utility bus switch; and doing other specified actions.

- For the Boeing Company Model 737-300, -400, -500, -600, -700, -700C, -800, and -900 series airplanes: AD 2009-12-06, Amendment 39-15929 (74 FR 27698, June 11, 2009), requires installing a new circuit breaker, relays, and wiring to allow the flightcrew to turn off electrical power to the IFE systems and other non-essential electrical systems through a switch in the flight compartment; and doing other specified actions.

- For the Boeing Company Model 747-400 and -400D series airplanes: AD 2009-15-12, Amendment 39-15975 (74 FR 35789, July 21, 2009), requires installing new relays to allow the flightcrew to turn off electrical power to the IFE system and other non-essential passenger cabin systems through the left and right utility bus switches; and doing other specified actions.

Relevant Service Information

We reviewed Boeing Service Bulletin 777-24-0075, Revision 3, dated August 26, 2010. For information on the procedures and compliance times, see this service information at <http://www.regulations.gov> by searching for Docket No. FAA-2013-0368.

Concurrent Service Information

Boeing Service Bulletin 777-24-0075, Revision 3, dated August 26, 2010, specifies prior or concurrent accomplishment of Boeing Service Bulletins 777-23-0142, dated November 25, 2003; 777-23-0175, Revision 2,

dated October 12, 2006; 777-24-0074, Revision 4, dated September 13, 2012; and 777-24-0087, Revision 2, dated August 16, 2007. For information on the procedures, see this service information at <http://www.regulations.gov> by searching for Docket No. FAA-2013-0368.

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 in other products of these same type designs.

Proposed AD Requirements

This proposed AD would require accomplishing the actions specified in the service information identified previously, except as discussed under “Differences Between the Proposed AD and the Service Information.”

The phrase “related investigative actions” might be used in this proposed AD. “Related investigative actions” are follow-on actions that (1) are related to the primary action, and (2) are actions that further investigate the nature of any condition found. Related investigative actions in an AD could include, for example, inspections.

In addition, the phrase “corrective actions” might be used in this proposed AD. “Corrective actions” are actions that correct or address any condition found. Corrective actions in an AD could include, for example, repairs.

Differences Between the Proposed AD and the Service Information

Section 1.B, “Concurrent Requirements,” of Boeing Service Bulletin 777-24-0075, Revision 3, dated August 26, 2010, identifies Boeing Service Bulletin 777-24-0074, dated

June 27, 2002; and Revision 1, dated October 5, 2006; as concurrent service bulletins. However, this proposed AD would require Boeing Service Bulletin 777-24-0074, Revision 4, dated September 13, 2012, as a concurrent service bulletin.

This proposed AD gives credit for Boeing Service Bulletin 777-24-0074, dated June 27, 2002; Revision 1, dated October 5, 2006; Revision 2, dated May 20, 2010; and Revision 3, dated February 20, 2012; provided that certain concurrent requirements and additional work identified in Boeing Service Bulletin 777-24-0074, Revision 4, dated September 13, 2012, are done.

Costs of Compliance

We estimate that this proposed AD affects 59 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Installation of wiring and changing ELMS panel wiring.	36 work-hours × \$85 per hour = \$3,060	\$2,503	\$5,563	\$328,217
Concurrent ELMS software installation (Boeing Service Bulletin 777-24-0087, Revision 2, dated August 16, 2007).	3 work-hours × 85 per hour = 255	0	255	15,045
Concurrent OPS change (Boeing Service Bulletin 777-23-0175, Revision 2, dated October 12, 2006).	4 work-hours × 85 per hour = 340	0	340	20,060
Concurrent power isolation switch installation (Boeing Service Bulletin 777-24-0074, Revision 4, dated September 13, 2012).	5 work-hours × 85 per hour = 425	751	1,176	69,384
Concurrent CSS hardware and software change (No affected U.S. operators; Boeing Service Bulletin 777-23-0142, dated November 25, 2003).	10 work-hours × 85 per hour = 850	119,959	120,809	0

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 this 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):

The Boeing Company: Docket No. FAA–2013–0368; Directorate Identifier 2012–NM–058–AD.

(a) Comments Due Date

We must receive comments by June 24, 2013.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 777–200 and –300 series airplanes, certificated in any category, as identified in Boeing Service Bulletin 777–24–0075, Revision 3, dated August 26, 2010.

(d) Subject

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 24, Electrical Power.

(e) Unsafe Condition

This AD was prompted by reports of smoke or flames in the passenger cabin of various transport category airplanes related to the wiring for the passenger cabin in-flight entertainment (IFE) system, cabin lighting, and passenger seats. We are issuing this AD to ensure the flightcrew is able to turn off electrical power to the IFE systems and other non-essential electrical systems through a switch in the flight compartment in the event of smoke or flames. In the event of smoke or flames in the airplane flight deck or passenger cabin, the flightcrew's inability to turn off electrical power to the IFE system and other non-essential electrical systems could result in the inability to control smoke or flames in the airplane flight deck or passenger cabin during a non-normal or emergency situation, and consequent loss of control of the airplane.

(f) Compliance

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

(g) Installation

Within 60 months after the effective date of this AD, install certain wiring and change certain electrical load management system (ELMS) panels; as identified in, and in accordance with, the Accomplishment Instructions of Boeing Service Bulletin 777–24–0075, Revision 3, dated August 26, 2010.

(h) Concurrent Requirements

(1) For airplanes identified in Boeing Service Bulletin 777–23–0142, dated November 25, 2003: Prior to or concurrently with accomplishing the requirements of paragraph (g) of this AD, change the hardware and software for the cabin services system, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 777–23–0142, dated November 25, 2003.

(2) For all airplanes: Prior to or concurrently with accomplishing the

requirements of paragraph (g) of this AD, change the operations software (OPS) of the cabin management system, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 777–23–0175, Revision 2, dated October 12, 2006.

(3) For Group 1, Configurations 1, 3, and 4 airplanes, specified in Boeing Service Bulletin 777–24–0074, Revision 4, dated September 13, 2012: Prior to or concurrently with accomplishing the requirements of paragraph (g) of this AD, install certain new electrical power control panels; as identified in, and in accordance with, the Accomplishment Instructions of Boeing Service Bulletin 777–24–0074, Revision 4, dated September 13, 2012.

(4) For Group 1, Configuration 2 airplanes, specified in Boeing Service Bulletin 777–24–0074, Revision 4, dated September 13, 2012: Prior to or concurrently with accomplishing the requirements of paragraph (g) of this AD, inspect the electrical power control panel for a certain part number and change the part number, as applicable; as identified in, and in accordance with, the Accomplishment Instructions of Boeing Service Bulletin 777–24–0074, Revision 4, dated September 13, 2012.

(5) For all airplanes: Prior to or concurrently with accomplishing the requirements of paragraph (g) of this AD, change the ELMS OPS and configuration database software (OPC) at the data loader, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 777–24–0087, Revision 2, dated August 16, 2007.

(i) Credit for Previous Actions

(1) This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Boeing Service Bulletin 777–24–0075, dated August 21, 2003; or Revision 1, dated December 11, 2003; which are not incorporated by reference in this AD; provided that the Smiths Service Bulletin 5000ELM–24–379 identified on pages 8 and 19 of Boeing Service Bulletin 777–24–0075, Revision 1, dated December 11, 2003, is not used.

(2) This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Boeing Service Bulletin 777–24–0075, Revision 2, dated October 5, 2006.

(3) This paragraph provides credit for the actions required by paragraph (h)(5) of this AD, if those actions were performed before the effective date of this AD using Boeing Service Bulletin 777–24–0087, dated July 24, 2003; or Revision 1, dated December 18, 2003.

(4) This paragraph provides credit for the actions required by paragraphs (h)(3) and (h)(4) of this AD, if those actions were performed before the effective date of this AD using Boeing Service Bulletin 777–24–0074, dated June 27, 2002; Revision 1, dated October 5, 2006; Revision 2, dated May 20, 2010; or Revision 3, dated February 20, 2012; provided all applicable concurrent requirements identified in Section 1.B of Boeing Service Bulletin 777–24–0074, Revision 4, dated September 13, 2012, have

been done prior to or concurrently with that revision; and provided that any additional work identified by the phrase “More work is necessary” in section 1.D of Boeing Service Bulletin 777–24–0074, Revision 4, dated September 13, 2012, is accomplished before the effective date of this AD.

(5) This paragraph provides credit for the actions required by paragraph (h)(2) of this AD, if those actions were performed before the effective date of this AD using Boeing Service Bulletin 777–23–0175, dated July 11, 2002; or Revision 1, dated July 17, 2003; provided that overhead electronics unit hardware, part number 285W0029–5, is not installed.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle 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 manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: 9-ANM-Seattle-ACO-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 required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane and the approval must specifically refer to this AD.

(k) Related Information

(1) For more information about this AD, contact Ray Mei, Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6467; fax: 425–917–6590; email: raymont.mei@faa.gov.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet <https://www.myboeingfleet.com>. You may review copies of the referenced 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.

Issued in Renton, Washington, on April 26, 2013.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–11063 Filed 5–9–13; 8:45 am]

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