

Upon the presentation of persuasive test result data, the Bureau anticipates permitting such extension requests for a period at least as long as the period of the original waiver. The Bureau anticipates permitting longer extensions where the Bureau is considering amending disclosure requirements in a manner consistent with the trial disclosures in question.<sup>34</sup> During the time period pending a rule amendment, the Bureau intends to consider means of making the improved disclosure available to other covered entities.

#### E. Regulatory Coordination

Subsection 1015 of the Dodd-Frank Act instructs the Bureau to coordinate with . . . Federal agencies and State regulators, as appropriate, to promote consistent regulatory treatment of consumer financial and investment products and services.<sup>35</sup> Similarly, subsection 1042(c) of the Act instructs the Bureau to provide guidance in order to further coordinate actions with the State attorneys general and other regulators.<sup>36</sup> The Bureau's direction to coordinate includes coordinating circumstances where States have chosen to limit their enforcement or other regulatory authority. One method of limiting such authority is through a State sandbox, or group of State sandboxes, or other limited scope State authorization program ("State sandbox").<sup>37</sup> The Bureau is interested in entering into agreements with State authorities designed to improve upon existing disclosure requirements<sup>38</sup> by allowing covered persons to test disclosures within the state sandbox. Specifically, the Bureau expects that, in specified circumstances, such entities could receive permission to conduct a trial disclosure program pursuant to the Bureau's agreement with the State authority, rather than through the process described in Sections A, B, and

<sup>34</sup> Rule amendments that follow successful trial disclosure tests could continue to permit all existing disclosure practices—allowing an additional and alternative method of compliance, rather than replacing existing requirements with new ones. If the period of an extension were tied to the Bureau's consideration of amending relevant disclosure requirements and the Bureau announced it was discontinuing its plans to amend the disclosure rules in question, such a waiver would be revised to be for a period of a fixed length or revoked after reasonable notice to the testing company(s).

<sup>35</sup> 12 U.S.C. 5495.

<sup>36</sup> 12 U.S.C. 5552(c).

<sup>37</sup> The concept of a regulatory sandbox is relatively new and does not have a precise, generally accepted definition. The term is used in this Policy to refer to a regulatory structure where a participant obtains limited or temporary access to a market in exchange for reduced regulatory barriers to entry or reduced regulatory uncertainty.

<sup>38</sup> See note 26.

C. The Bureau is interested in negotiating agreements that include the following features. First, the State sandbox must contain safeguards that protect consumers from deception. Second, the State sandbox must be limited in time or scope. Third, the State sandbox entity must agree to provide the Bureau with data to assist the Bureau in assessing whether the disclosure (or disclosures) used within the scope of the state sandbox improves upon existing disclosures based upon cost effectiveness, consumer understanding, or otherwise. Alternatively, the State authority may agree to periodically provide the Bureau with such data regarding the disclosures used by participants in the State sandbox.

Under this Section, a State sandbox entity's authorization under the TDP Policy will be limited to the parameters of the State sandbox. If the entity seeks wider authorization under the TDP Policy, it must submit an application following the standard permission process detailed in Sections A, B, and C. Successful results from disclosures used within a State or other jurisdiction will be highly persuasive in supporting such an application under the TDP Policy.

Furthermore, the Bureau wishes to coordinate with other regulators. To this end, the Bureau intends to enter into agreements whenever practicable to coordinate permission to conduct trial programs with similar programs operated by State, Federal, or international regulators.

#### F. Bureau Disclosure of Information Regarding Trial Disclosure Programs

The Bureau intends to publish notice on its website of any trial disclosure program permitted under Section C or D.<sup>39</sup> The notice will: (i) Identify the company or companies conducting the trial disclosure program; (ii) summarize the new disclosures to be used and the duration of their intended use; and (iii) state that the waiver applies only to the testing company or companies in accordance with the permitted terms of use.

Public disclosure of any other information regarding trial disclosure programs is governed by the Bureau's Rule on Disclosure of Records and Information.<sup>40</sup> For example, the rule requires the Bureau to make available records requested by the public unless

<sup>39</sup> The Bureau will at minimum publish the names of companies conducting trial disclosure programs pursuant to Section E, but reserves the discretion to negotiate any additional disclosure terms with the corresponding regulator.

<sup>40</sup> See 12 CFR 1070 *et seq.*

they are subject to a FOIA exemption or exclusion. To the extent the Bureau wishes to disclose information regarding trial disclosure programs, the terms of such disclosure will be included in the 1032(e) Trial Disclosure Waiver: Terms and Conditions document. Consistent with applicable law and its own rules, the Bureau will not seek to disclose any test data that would conflict with consumers' privacy interests.

Dated: August 30, 2018.

**Mick Mulvaney,**

*Acting Director, Bureau of Consumer Financial Protection.*

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**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2017-1085; Product Identifier 2016-SW-094-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for Airbus Helicopters Deutschland GmbH (Airbus Helicopters) Model MBB-BK 117 A-1, MBB-BK 117A-3, MBB-BK 117 A-4, MBB-BK 117 B-1, MBB-BK 117 B-2, MBB-BK 117 C-1, and MBB-BK 117 C-2 helicopters. This proposed AD would require repetitive inspections of the tail rotor (T/R) gearbox housing. This proposed AD is prompted by a report that a crack was found in a T/R gearbox housing. The actions of this proposed AD are intended to address an unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by November 9, 2018.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Docket:* Go to <http://www.regulations.gov>. Follow the online instructions for sending your comments electronically.

- *Fax:* 202-493-2251.

- *Mail:* Send comments to the U.S.

Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

- *Hand Delivery*: Deliver to the "Mail" address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

### Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-1085; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the European Aviation Safety Agency (EASA) AD, the economic evaluation, any comments received, and other information. The street address for Docket Operations (telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

For service information identified in this proposed rule, contact Airbus Helicopters, 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641-0000 or (800) 232-0323; fax (972) 641-3775; or at [http://www.helicopters.airbus.com/website/en/ref/Technical-Support\\_73.html](http://www.helicopters.airbus.com/website/en/ref/Technical-Support_73.html). You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy, Room 6N-321, Fort Worth, TX 76177.

### FOR FURTHER INFORMATION CONTACT:

David Hatfield, Aviation Safety Engineer, Safety Management Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email [david.hatfield@faa.gov](mailto:david.hatfield@faa.gov).

### SUPPLEMENTARY INFORMATION:

#### Comments Invited

We invite you to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit only one time.

We will file in the docket all comments that we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, we will

consider all comments we receive on or before the closing date for comments. We will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. We may change this proposal in light of the comments we receive.

### Discussion

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD No. 2016-0134, dated July 8, 2016, to correct an unsafe condition on Airbus Helicopters Model MBB-BK 117 A-1, MBB-BK 117 A-3, MBB-BK 117 A-4, MBB-BK 117 B-1, MBB-BK 117 B-2, MBB-BK 117 C-1, MBB BK 117 C-2, and MBB-BK 117 C-2e helicopters. EASA advises that a crack was found in the T/R gearbox housing of a Model MBB-BK117 C-2 helicopter. According to EASA, investigations determined high vibrations caused by T/R imbalance were a contributing factor to the crack. EASA states that this condition, if not detected and corrected, could lead to the loss of the T/R gearbox and subsequent loss of control of the helicopter. As a result, the EASA AD requires repetitive inspections of the T/R gearbox housing and replacing the housing if a crack is found.

### FAA's Determination

These helicopters have been approved by the aviation authority of Germany and are approved for operation in the United States. Pursuant to our bilateral agreement with Germany, EASA, its technical representative, has notified us of the unsafe condition described in its AD. We are proposing this AD because we evaluated all known relevant information and determined that an unsafe condition is likely to exist or develop on other products of the same type design.

### Related Service Information Under 1 CFR Part 51

We reviewed Airbus Helicopters Alert Service Bulletin (ASB) MBB-BK117-30A-119, Revision 0, dated May 24, 2016, for Model MBB-BK 117 A-1, MBB-BK 117 A-3, MBB-BK 117 A-4, MBB-BK 117 B-1, MBB-BK 117 B-2, and MBB-BK 117 C-1 helicopters and ASB MBB-BK117 C-2-65A-007, Revision 0, dated May 24, 2016, for MBB-BK 117 C-2 helicopters. This service information specifies an initial and repetitive inspections of the T/R gearbox housing for cracks.

This service information is reasonably available because the interested parties have access to it through their normal

course of business or by the means identified in the **ADDRESSES** section.

### Proposed AD Requirements

This proposed AD would require within 100 hours time-in-service (TIS) and thereafter at intervals not to exceed 100 hours TIS, cleaning and visually inspecting the T/R gearbox housing for a crack. If there is a crack, this proposed AD would require replacing the T/R gearbox before further flight.

### Differences Between This Proposed AD and the EASA AD

The EASA AD applies to Model MBB-BK117 C-2e helicopters, and this proposed AD would not because it is not an FAA type-certificated model. The EASA AD allows a non-cumulative tolerance of 10 hours TIS for the inspections, and this proposed AD would not. The EASA AD requires performing the inspection after a certain maintenance action and before a T/R gearbox housing is installed, and this proposed AD would not.

### Costs of Compliance

We estimate that this proposed AD would affect 176 helicopters of U.S. Registry and that labor costs average \$85 a work-hour. Based on these estimates, we expect that inspecting the T/R gearbox would require 1 work-hour and no parts would be required for a cost of \$85 per helicopter and \$14,960 for the U.S. fleet per inspection cycle. Replacing the T/R gearbox would require 4.5 work-hours and parts would cost \$69,219 for a cost of \$69,602 per helicopter.

### 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, 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 to the extent that it justifies making a regulatory distinction; 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.

We prepared an economic evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

## 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):

**Airbus Helicopters Deutschland GmbH:**  
Docket No. FAA-2017-1085; Product Identifier 2016-SW-094-AD.

#### (a) Applicability

This AD applies to Airbus Helicopters Deutschland GmbH Model MBB-BK 117 A-1, MBB-BK 117 A-3, MBB-BK 117 A-4, MBB-BK 117 B-1, MBB-BK 117 B-2, MBB-BK 117 C-1, and MBB-BK 117 C-2 helicopters, certificated in any category.

#### (b) Unsafe Condition

This AD defines the unsafe condition as a crack in a tail rotor (T/R) gearbox housing. This condition could result in the loss of the T/R gearbox and subsequent loss of helicopter control.

#### (c) Comments Due Date

We must receive comments by November 9, 2018.

#### (d) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

#### (e) Required Actions

Within 100 hours time-in-service (TIS) and thereafter at intervals not to exceed 100 hours TIS, clean and visually inspect the T/R gearbox housing for a crack in the area depicted in Figure 1 of Airbus Helicopters Alert Service Bulletin (ASB) MBB-BK117-30A-119, Revision 0, dated May 24, 2016, or ASB MBB-BK117 C-2-65A-007, Revision 0, dated May 24, 2016, as applicable to your model helicopter. If there is a crack, replace the T/R gearbox before further flight.

#### (f) Special Flight Permits

Special flight permits are prohibited.

#### (g) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Section, Rotorcraft Standards Branch, FAA, may approve AMOCs for this AD. Send your proposal to: David Hatfield, Aviation Safety Engineer, Safety Management Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email [david.hatfield@faa.gov](mailto:david.hatfield@faa.gov).

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office before operating any aircraft complying with this AD through an AMOC.

#### (h) Additional Information

The subject of this AD is addressed in European Aviation Safety Agency (EASA) AD No. 2016-0134, dated July 8, 2016. You may view the EASA AD on the internet at <http://www.regulations.gov> in the AD Docket.

#### (i) Subject

Joint Aircraft Service Component (JASC)  
Code: 6520, Tail Rotor Gearbox.

Issued in Fort Worth, Texas, on August 27, 2018.

#### Lance T. Gant,

*Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2017-1125; Product Identifier 2017-SW-078-AD]

RIN 2120-AA64

#### Airworthiness Directives; MD Helicopters Inc. Helicopters

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for MD Helicopters Inc. (MDHI) Model 600N helicopters. This proposed AD would require establishing a life limit for the main rotor (M/R) blade upper control collective/longitudinal link assembly (link assembly). This proposed AD is prompted by the discovery that the life limit was omitted from the maintenance manual. The actions of this proposed AD are intended to prevent an unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by November 9, 2018.

**ADDRESSES:** You may send comments by any of the following methods:

- *Federal eRulemaking Docket:* Go to <http://www.regulations.gov>. Follow the online instructions for sending your comments electronically.

- *Fax:* 202-493-2251.

- *Mail:* Send comments to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

- *Hand Delivery:* Deliver to the “Mail” address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-1125; or in person at the Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the economic evaluation, any comments received, and other information. The street address for the Docket Operations (telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

For service information identified in this proposed rule, contact MD