

intercompany transactions between the foreign banking organization's U.S. domiciled affiliates, branches or agencies to the extent such items are not already eliminated in consolidation, and increase consolidated liabilities by net intercompany balances and intercompany transactions between a non-U.S. domiciled affiliate and a U.S. domiciled affiliate, branch, or agency of the foreign banking organization, to the extent such items are not already reflected.

(ii) *Foreign financial company.* A foreign company that is not a foreign banking organization may reduce the amount of consolidated liabilities of its U.S. operations calculated pursuant to this paragraph by amounts corresponding to intercompany balances and intercompany transactions between the foreign banking organization's U.S. domiciled affiliates, branches or agencies to the extent such items are not already eliminated in consolidation, and increase consolidated liabilities by net intercompany balances and intercompany transactions between a non-U.S. domiciled affiliate and a U.S. domiciled affiliate, branch, or agency of the foreign banking organization, to the extent such items are not already reflected.

(e) *Applicable accounting standard.* If a company does not calculate its total consolidated assets or liabilities under GAAP for any regulatory purpose (including compliance with applicable securities laws), the company may submit a request to the Board that it use an accounting standard or method of estimation other than GAAP to calculate its liabilities for purposes of this part. The Board may, in its discretion and subject to Board review and adjustment, permit the company to provide estimated total consolidated liabilities on an annual basis using this accounting standard or method of estimation.

#### **§ 251.4 Exceptions to the concentration limit.**

(a) With the prior written consent of the Board, the concentration limit under § 251.3 shall not apply to:

(1) An acquisition of an insured depository institution in default or in danger of default, as determined by the appropriate Federal banking agency of the insured depository institution, in consultation with the Board;

(2) An acquisition with respect to which assistance is provided by the Federal Deposit Insurance Corporation under section 13(c) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)); or

(3) An acquisition that would result in an increase in the liabilities of the

financial company that does not exceed \$2 billion, when aggregated with all other acquisitions by the financial company made pursuant to this paragraph (a)(3) during the twelve months preceding the date of the acquisition.

(b) [Reserved]

#### **§ 251.5 No evasion.**

No financial company may organize or operate its business or structure any acquisition of or merger or consolidation with another company in such a manner that results in evasion of the concentration limit established by section 14 of the Bank Holding Company Act or this part.

#### **§ 251.6 Reporting requirements.**

(a) *Reporting of liabilities by financial companies that do not file regulatory reports.* (1) *General.* By March 31 of each year:

(i) A U.S. financial company (other than a U.S. financial company that is required to file the Bank Consolidated Reports of Condition and Income (Call Report), the Consolidated Financial Statements for Holding Companies (FR Y-9C), the Parent Company Only Financial Statements for Small Holding Companies (FR Y-9SP), or the Parent Company Only Financial Statements for Large Holding Companies (FR Y-9LP), or is required to report consolidated total liabilities on the Quarterly Savings and Loan Holding Company Report (FR 2320)) must report to the Board its consolidated liabilities as of the previous calendar year-end calculated pursuant to § 251.3(c); and

(ii) A foreign financial company (other than a foreign financial company that is required to file a FR Y-7) must report to the Board its U.S. liabilities as of the previous calendar year-end calculated pursuant to § 251.3(d).

(2) *Initial reporting period.* For purposes of the report due March 31, 2015, a U.S. financial company and a foreign financial company subject to paragraph (a)(1) of this section must report to the Board its consolidated or U.S. liabilities, respectively, as of December 31, 2013 and December 31, 2014.

(b) *Prior notification of covered acquisitions by financial companies that are not otherwise required to obtain prior approval or prior notice.* (1) A financial company must provide written notification to the Board no later than the earlier of 60 days before consummating a covered acquisition with a company and 10 days after execution of the agreement specifying the terms of the covered acquisition if:

(i) The consolidated liabilities of the resulting financial company would exceed 8 percent of the financial sector liabilities;

(ii) The acquisition would increase the liabilities of the financial company by more than \$2 billion, when aggregated with all other covered acquisitions by the financial company during the twelve months preceding the date of the acquisition; and

(iii) The financial company is not otherwise required to obtain prior approval of or provide prior notice to the Board.

(2) The written notification must include a description of the proposed covered acquisition, estimates of the pro forma assets and liabilities of the resulting company upon consummation of the transaction, calculated pursuant to § 251.3, and any other information that the Board determines would be appropriate.

By order of the Board of Governors of the Federal Reserve System, May 8, 2014.

**Robert deV. Frierson,**

*Secretary of the Board.*

[FR Doc. 2014-10956 Filed 5-14-14; 8:45 am]

**BILLING CODE 6210-01-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. FAA-2014-0251; Directorate Identifier 2013-NM-179-AD]

**RIN 2120-AA64**

#### **Airworthiness Directives; Airbus Airplanes**

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all Airbus Model A330-200 Freighter, A330-200, A330-300, A340-200, -300, -500, and -600 series airplanes. This proposed AD was prompted by a determination that the service life limits of the cabin pressure control system (CPCS) safety valves installed on the aft pressure bulkhead were being exceeded. This proposed AD would require repetitive replacement of the CPCS safety valves with serviceable valves. We are proposing this AD to prevent exceeding the service life limits of the CPCS safety valves, which, in the event of a failure, could result in excessive positive or negative differential pressure in the fuselage and consequent

incapacitation or injuries to airplane occupants.

**DATES:** We must receive comments on this proposed AD by June 30, 2014.

**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:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Airbus SAS, Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80; email [airworthiness.A330-A340@airbus.com](mailto:airworthiness.A330-A340@airbus.com); Internet <http://www.airbus.com>. You may view this 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> by searching for and locating Docket No. FAA-2014-0251; 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 Operations office (telephone 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1138; fax 425-227-1149.

### SUPPLEMENTARY INFORMATION:

#### Comments Invited

We invite you to send any written relevant data, views, or arguments about

this proposed AD. Send your comments to an address listed under the

**ADDRESSES** section. Include “Docket No. FAA-2014-0251; Directorate Identifier 2013-NM-179-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 based on 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

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2013-0201, dated September 4, 2013 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

Investigation results on the Cabin Pressure Control System (CPCS) safety valve demonstrate that this part is subject to repetitive restoration every 50,000 flight hours (FH) or 12 years, but this airworthiness instruction is not yet reflected in the instructions for continuing airworthiness. Moreover, this safety valve, part of the CPCS, is not failure monitored.

In order to maintain the required safety objectives, the CPCS safety valves must be replaced by a serviceable part no later than the above values.

For the reasons describe above, this [EASA] AD requires repetitive replacement of CPCS safety valves.

Exceeding the service life limits of the CPCS safety valve, in the event of a failure, could result in excessive positive or negative differential pressure in the fuselage, and consequent incapacitation or injuries to airplane occupants.

You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2014-0251.

### Relevant Service Information

Airbus has issued the following service information:

- Mandatory Service Bulletin A330-21-3154, Revision 01, dated April 10, 2013.
- Mandatory Service Bulletin A340-21-4150, Revision 01, dated April 10, 2013.

- Mandatory Service Bulletin A340-21-5044, Revision 01, dated April 10, 2013.

• Task 21-31.00/09, Remove Safety Valve for Restoration, of Section C-21, Air Conditioning, of Section C, Systems and Power-plant Section of the A330 Maintenance Review Board Report, Revision 14, dated June 2013.

• Task 21-31.00/09, Remove Safety Valve for Restoration, of Section C-21, Air Conditioning, of Section C, Systems and Power-plant Section of the A340 Maintenance Review Board Report, Revision 14, dated June 2013.

The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

### FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

### Costs of Compliance

We estimate that this proposed AD affects 77 airplanes of U.S. registry.

We also estimate that it would take about 25 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$9,784 per product. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be \$916,993, or \$11,909 per product, per replacement cycle.

### 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):

**Airbus:** Docket No. FAA-2014-0251; Directorate Identifier 2013-NM-179-AD.

#### (a) Comments Due Date

We must receive comments by June 30, 2014.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Airbus Model A330-201, -202, -203, -223, -223F, -243, -243F, -301, -302, -303, -321, -322, -323, -341, -342, and -343 airplanes; Model A340-211,

-212, -213, -311, -312, -313 airplanes; and Model A340-541 and -642 airplanes; certificated in any category; all manufacturer serial numbers.

#### (d) Subject

Air Transport Association (ATA) of America Code 21, Air conditioning.

#### (e) Reason

This AD was prompted by a determination that the service life limits of the cabin pressure control system (CPCS) safety valves installed on the aft pressure bulkhead were being exceeded. We are issuing this AD to prevent exceeding the service life limits of the CPCS safety valve, which, in the event of a failure, could result in excessive positive or negative differential pressure in the fuselage, and consequent incapacitation or injuries to airplane occupants.

#### (f) Compliance

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

#### (g) Replacement of CPCS Safety Valves

(1) For airplanes on which the total number of flight hours accumulated on the CPCS safety valves are known: Replace the CPCS safety valve with a serviceable valve at the later of the times specified in paragraph (g)(1)(i) or (g)(1)(ii) of this AD. Replace the valve in accordance with the Accomplishment Instructions of the applicable service information identified in paragraph (g)(3)(i), (g)(3)(ii), or (g)(3)(iii) of this AD. Repeat the replacement at intervals not to exceed 50,000 flight hours or 12 years accumulated on the CPCS safety valve, whichever occurs first.

(i) Before the safety valve accumulates 50,000 total flight hours or 12 years since first installation or since the last restoration, as applicable, whichever occurs first.

(ii) Within 26 months after the effective date of this AD.

(2) For airplanes on which the total number of flight hours accumulated on the CPCS safety valve are unknown: Replace the CPCS safety valve with a serviceable valve within 26 months after the effective date of this AD, in accordance with the Accomplishment Instructions of the applicable service information identified in paragraph (g)(3)(i), (g)(3)(ii), or (g)(3)(iii) of this AD. Repeat the replacement at intervals not to exceed 50,000 flight hours or 12 years accumulated on the CPCS safety valve, whichever occurs first.

(3) Use the applicable service information identified in paragraph (g)(3)(i), (g)(3)(ii), or (g)(3)(iii) of this AD to accomplish the specified actions in paragraph (g) of this AD.

(i) Airbus Mandatory Service Bulletin A330-21-3154, Revision 01, dated April 10, 2013 (for Model A330-200 Freighter, A330-200 and -300 series airplanes).

(ii) Airbus Mandatory Service Bulletin A340-21-4150, Revision 01, dated April 10, 2013 (for Model A340-200 and -300 series airplanes).

(iii) Airbus Mandatory Service Bulletin A340-21-5044, Revision 01, dated April 10, 2013 (for Model A340-500 and -600 series airplanes).

#### (h) Definition of Serviceable Valves

For the purposes of this AD, a serviceable CPCS safety valve is a safety valve which has not exceeded the following service life limits, as applicable: 12 years since its manufacturing date, or 50,000 total flight hours since first installation on an airplane, whichever occurs first; or 12 years since its last restoration, or 50,000 total flight hours since its last restoration, whichever occurs first.

#### (i) Optional Method of Compliance

Accomplishment of Task 21.31.00/09, Remove Safety Valve for Restoration, of Section C-21, Air Conditioning, of Section C, Systems and Power-plant Section of the Airbus A330 Maintenance Review Board Report, Revision 14, dated June 2013; or Airbus A340 Maintenance Review Board Report, Revision 14, dated June 2013; as applicable; constitutes compliance with any replacement required by paragraph (g) of this AD.

#### (j) Credit for Previous Actions

This paragraph provides credit for actions required by paragraphs (g)(1) and (g)(2) of this AD, if those actions were performed before the effective date of this AD using the service information identified in paragraphs (j)(1), (j)(2), and (j)(3) of this AD, which are not incorporated by reference in this AD.

(1) Airbus Mandatory Service Bulletin A330-21-3154, dated November 17, 2011.

(2) Airbus Mandatory Service Bulletin A340-21-4150, dated November 17, 2011.

(3) Airbus Mandatory Service Bulletin A340-21-5044, dated November 17, 2011.

#### (k) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM-116, 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 International Branch, send it to ATTN: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1138; fax 425-227-1149. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. 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. The AMOC approval letter must specifically reference this AD.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they were approved by the State of Design Authority (or its delegated agent, or the DAH with a State of Design Authority's design organization approval). For a repair method to be approved, the repair approval must

specifically refer to this AD. You are required to ensure the product is airworthy before it is returned to service.

#### (I) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency (EASA) Airworthiness Directive 2013–0201, dated September 4, 2013, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2014–0251.

(2) For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80; email [airworthiness.A330-A340@airbus.com](mailto:airworthiness.A330-A340@airbus.com); Internet <http://www.airbus.com>. You may view this 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 14, 2014.

**Jeffrey E. Duven,**

*Manager, Transport Airplane Directorate,  
Aircraft Certification Service.*

[FR Doc. 2014–11187 Filed 5–14–14; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 193

[Docket No. FAA–2013–0375]

#### Technical Operations Safety Action Program (T–SAP) and Air Traffic Safety Action Program (ATSAP)

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

**ACTION:** Notice of order designating safety information as protected from disclosure; disposition of comments.

**SUMMARY:** This action affirms the policy and responds to comments received in response to the Notice published on July 19, 2013 (78 FR 43091) regarding the application of our regulations, Technical Operations Safety Action Program (T–SAP) and Air Traffic Safety Action Program (ATSAP). The Notice proposed that safety information provided to the FAA under the T–SAP and ATSAP programs be designated by an FAA Order as protected from public disclosure in accordance with the provisions of our regulations, Protection of Voluntarily Submitted Information. The designation is intended to encourage persons to voluntarily provide information to the FAA under the T–SAP and ATSAP, so the FAA can

learn about and address aviation safety hazards and implement, as appropriate, corrective measures for events or safety issues.

**DATES:** This action becomes effective May 15, 2014.

**ADDRESSES:** For information on where to obtain copies of documents and other information related to this action, see “How to Obtain Additional Information” in the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** For questions concerning this action, contact Ms. Coleen Hawrysko, Group Manager, Air Traffic Organization (ATO) Safety Programs, Federal Aviation Administration, 490 L’Enfant Plaza, Suite 7200, Washington, DC 20024; telephone (202) 385–4571, email [coleen.hawrysko@faa.gov](mailto:coleen.hawrysko@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Under Title 49 of the United States Code (49 U.S.C.), section 40123, certain voluntarily provided safety and security information is protected from disclosure in order to encourage persons to provide the information. In accordance with 14 CFR part 193, Protection of Voluntarily Submitted Information, the FAA must issue an Order that specifies why the agency finds that the information should be protected. If the Administrator issues an Order designating information as protected under 49 U.S.C. 40123, that information will not be disclosed under the Freedom of Information Act (FOIA) (Title 5 of the United States Code (5 U.S.C.)), section 552 or other laws, except as provided in 49 U.S.C. 40123, 14 CFR part 193, and the Order designating the information as protected. This Order is issued under part 193; section 193.11, which sets out the notice procedure for designating information as protected.

The designation of protected information is intended to encourage persons to voluntarily provide information to the FAA under the T–SAP and ATSAP, so the FAA can learn about and address aviation safety hazards of which it was unaware or more fully understand and implement corrective measures for events or safety issues known by it through other means. The designation is applicable to any FAA office that receives information covered under this designation from T–SAP, established in Notice JO 7210.807, and which will be incorporated in FAA Order JO 7200.20, Voluntary Safety Reporting Programs, or the ATSAP described in FAA Order JO 7200.20. The designation will also apply to any other government agency to receive T–SAP or

ATSAP information covered under the designation from the FAA, and each such agency must first stipulate in writing that it will abide by the provisions of part 193 and the Order designating T–SAP and ATSAP as protected from public disclosure under 14 CFR part 193.

Except for T–SAP or ATSAP reports that involve possible criminal conduct, substance abuse, controlled substances, alcohol, or intentional falsification, the following information will be protected from disclosure:

(1) The content of any report concerning an aviation safety or security matter that is submitted by a qualified participant under the T–SAP or ATSAP report, and the name of the submitter of the report. Notwithstanding the foregoing, mandatory information about occurrences that are required to be reported under FAA Orders, Notices or guidance is not protected under this designation, unless the same information has also been submitted or reported under other procedures prescribed by the Agency. The exclusion is necessary to assure that the information protected under this designation has been voluntarily submitted. It also permits changes to FAA Orders, Notices and guidance without requiring a change to this designation.

(2) Any evidence gathered by the Event Review Committee during its investigation of a safety-related or security-related event reported under T–SAP or ATSAP, including the T–SAP or ATSAP investigative file.

T–SAP or ATSAP participants register for, and submit a report into, the electronic reporting system. These programs continue as long as provided for by Order, Notice, policy or a collective bargaining agreement.

On July 19, 2013, the FAA issued a notice (78 FR 43091), Notice of Proposed Order Designating Safety Information as Protected from Disclosure (hereinafter, the “notice”). The notice sought comment on the FAA’s intent to designate information voluntarily received under T–SAP or ATSAP as protected from public disclosure in accordance with the provisions of 14 CFR part 193.

#### **Discussion of Comments**

Three commenters submitted comments in response to docket number—FAA 2013–0375. The occupations and/or any group affiliations of the commenters were not stated. The commenters all opposed this action, and raised the following issues: