

*Executive Order 13132*

Executive Order 13132 encourages independent regulatory agencies to consider the impact of their actions on state and local interests. In adherence to fundamental federalism principles, NCUA, an independent regulatory agency as defined in 44 U.S.C. 3502(5), voluntarily complies with the executive order. The proposed rule would not have substantial direct effect on the states, on the connection between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. NCUA has determined that this proposed rule does not constitute a policy that has federalism implications for purposes of the executive order.

*The Treasury and General Government Appropriations Act, 1999—Assessment of Federal Regulations and Policies on Families*

NCUA has determined that this proposed rule would not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act, 1999, Pub. L. 105-277, 112 Stat. 2681 (1998).

*Agency Regulatory Goal*

NCUA's goal is to promulgate clear and understandable regulations that impose minimal regulatory burden. We request your comments on whether the proposed amendments are understandable and minimally intrusive if implemented as proposed.

**List of Subjects in 12 CFR Part 740**

Advertisements, Credit unions, Signs and symbols.

By the National Credit Union Administration Board on December 16, 2010.

**Mary F. Rupp,**

*Secretary of the Board.*

For the reasons discussed above, the NCUA Board proposes to amend 12 CFR part 740 as follows:

**PART 740—ACCURACY OF ADVERTISING AND NOTICE OF INSURED STATUS**

1. The authority citation for part 740 continues to read as follows:

**Authority:** 12 U.S.C. 1766, 1781, 1785, and 1789.

2. Revise Section 740.1 by redesignating paragraphs (b) and (c) as paragraphs (c) and (d) and by adding a new paragraph (b) to read as follows:

**§ 740.1 Definitions.**

\* \* \* \* \*

(b) *Advertisement* as used in this part means a commercial message, in any medium, that is designed to attract public attention or patronage to a product or business.

\* \* \* \* \*

3. Amend § 740.5 by revising paragraph (a) to read as follows:

**§ 740.5 Requirements for the official advertising statement.**

(a) Each insured credit union must include the official advertising statement, prescribed in paragraph (b) of this section, in all of its advertisements including, but not limited to, annual reports, statements of condition required to be published by law, radio and television advertisements, and on its main Internet page, except as provided in paragraph (c) of this section.

\* \* \* \* \*

4. Amend § 740.5 by:

a. Revising the third sentence of paragraph (b);

b. Removing and paragraphs (c)(1), (c)(8) and (c)(9); and

c. Redesignating paragraphs (c)(2), (c)(3), (c)(4), (c)(5), (c)(6), (c)(7), (c)(10), (c)(11), and (c)(12), as paragraphs (c)(1) through (c)(9) respectively.

The revised text reads as follows:

**§ 740.5 Requirements for the official advertising statement.**

(b) \* \* \* The official advertising statement must be in a size and print that is clearly legible and may be no smaller than the smallest font size used in other portions of the advertisement intended to convey information to the consumer. \* \* \*

\* \* \* \* \*

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**BILLING CODE 7535-01-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2010-1277; Directorate Identifier 2010-NM-218-AD]

RIN 2120-AA64

**Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, and Model A340-200 and -300 Series Airplanes**

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

**ACTION:** Proposed rule; rescission.

**SUMMARY:** We propose to rescind airworthiness directive (AD) 2009-18-

19. This proposed AD results from mandatory continuing airworthiness information (MCAI) issued by EASA, to rescind EASA AD 2010-0083. The MCAI specifies the following:

It has been assessed that multiple NRV [non return valve] failures in combination with certain trapped fuel cases could potentially increase the quantity of unusable fuel on the aeroplane, possibly leading to fuel starvation which could result in engines in-flight shut down and would constitute an unsafe condition. To prevent and detect this condition, EASA issued EASA AD 2010-0083.

Based on in service experience, mainly on the results of the operational test required by EASA AD 2010-0083, Airbus has performed a safety analysis on the NRV to check if the safety objectives are met.

This analysis of the Collector Cell motive flow line NRV, taking into account all failure scenarios, concludes that the previous non compliance can be alleviated. Consequently, no unsafe condition exists any more on the affected NRV.

For the reasons described above, EASA AD 2010-0083 is cancelled.

The proposed AD would rescind the parallel FAA AD 2009-18-19.

**DATES:** We must receive comments on this proposed AD by February 14, 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:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-40, 1200 New Jersey Avenue, SE., Washington, DC, 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>; or in person at the Docket Operations office 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, Washington 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-2010-1277; Directorate Identifier 2010-NM-218-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

On August 26, 2009, we issued AD 2009-18-19, Amendment 39-16016 (74 FR 46322, September 9, 2009). That AD was intended to address an unsafe condition on the products listed above. That AD requires a periodic operational test to check the operation of the non-return valve, and corrective actions if necessary. That AD corresponds to AD 2008-0209, dated November 27, 2008, issued by the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community. EASA AD 2008-0209 was superseded by EASA AD 2010-0083, dated May 3, 2010.

Since we issued AD 2009-18-19, EASA issued Airworthiness Directive 2010-0083-CN, dated September 20, 2010, to cancel EASA AD 2010-0083, dated May 3, 2010, for the specified products. EASA AD 2010-0083-CN states:

It has been assessed that multiple NRV [non return valve] failures in combination with certain trapped fuel cases could potentially increase the quantity of unusable fuel on the aeroplane, possibly leading to fuel starvation which could result in engines in-flight shut down and would constitute an unsafe condition. To prevent and detect this condition, EASA issued EASA AD 2010-0083.

Based on in service experience, mainly on the results of the operational test required by EASA AD 2010-0083, Airbus has performed a safety analysis on the NRV to check if the safety objectives are met.

This analysis of the Collector Cell motive flow line NRV, taking into account all failure

scenarios, concludes that the previous non compliance can be alleviated. Consequently, no unsafe condition exists any more on the affected NRV.

For the reasons described above, EASA AD 2010-0083 is cancelled.

You may obtain further information by examining the MCAI in the AD docket.

##### FAA's Conclusions

Upon further consideration, we have determined that the unsafe condition identified in AD 2009-18-19 does not exist. The safety analysis conducted by Airbus verified that the safety objectives (failure rate) for the NRV are met, and the NRV complies with regulatory standards. Since the unsafe condition identified in the AD has been eliminated, AD 2009-18-19 is no longer necessary.

Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the rescission described in the MCAI. Accordingly, this proposed AD would rescind AD 2009-18-19. Rescission of AD 2009-18-19 would not preclude the FAA from issuing another related action or commit the FAA to any course of action in the future.

##### Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and, in general, agree with the substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI.

##### Costs of Compliance

AD 2009-18-19 affects about 50 airplanes of U.S. registry. The estimated cost of the currently required actions for U.S. operators is \$20,000, or \$400 per airplane. Rescinding AD 2009-18-19 would eliminate those costs.

##### 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 an airworthiness directive (AD) that removes AD 2009-18-19, Amendment 39-16016 (74 FR 46322, September 9, 2009), to read as follows:

**Airbus:** Docket No. FAA-2010-1277; Directorate Identifier 2010-NM-218-AD.

##### Comments Due Date

- (a) We must receive comments by February 14, 2011.

##### Affected ADs

- (b) This AD rescinds AD 2009-18-19, Amendment 39-16016.

**Applicability**

(c) This AD applies to the airplanes, certificated in any category, identified in paragraphs (c)(1) and (c)(2) of the AD.

(1) Airbus Model A330-201, -202, -203, -223, -243, -301, -302, -303, -321, -322, -323, -341, -342, and -343 series airplanes, all serial numbers.

(2) Airbus Model A340-211, -212, -213, -311, -312, and -313 series airplanes, all serial numbers.

**Related Information**

(d) Refer to MCAI European Aviation Safety Agency (EASA) Airworthiness Directive 2010-0083-CN, dated September 20, 2010, for related information.

Issued in Renton, Washington, on December 17, 2010.

**Ali Bahrami,**

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

[FR Doc. 2010-32997 Filed 12-29-10; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

**[Docket No. FAA-2010-1207; Directorate Identifier 2010-NM-140-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; Dassault-Aviation Model FALCON 7X Airplanes**

**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. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Following investigation of an in service event, it has been determined that in case a short circuit occurs on a weight-on-wheels (WOW) proximity sensor wiring, both circuit breakers that supply power to that wiring will trip, causing simultaneous de-power of all WOW proximity sensors of that part of the system. The loss of the corresponding WOW information would lead to untimely inhibition of warnings that could compromise the pilot capacity to react to abnormal or failure landing conditions.

\* \* \* \* \*

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by February 14, 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:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-40, 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 Dassault Falcon Jet, P.O. Box 2000, South Hackensack, New Jersey 07606; telephone 201-440-6700; Internet <http://www.dassaultfalcon.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. 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 Operations office 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:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; 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-2010-1207; Directorate Identifier 2010-NM-140-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 2010-0031, dated March 3, 2010 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Following investigation of an in service event, it has been determined that in case a short circuit occurs on a weight-on-wheels (WOW) proximity sensor wiring, both circuit breakers that supply power to that wiring will trip, causing simultaneous de-power of all WOW proximity sensors of that part of the system. The loss of the corresponding WOW information would lead to untimely inhibition of warnings that could compromise the pilot capacity to react to abnormal or failure landing conditions.

This AD requires the modification of the WOW System to improve its robustness against short circuit of the proximity sensors wiring by adding dedicated fuses to each WOW proximity sensor, in accordance with Dassault Aviation Service Bulletin (SB) F7X-065.

You may obtain further information by examining the MCAI in the AD docket.

**Relevant Service Information**

Dassault-Aviation has issued Mandatory Service Bulletin 7X-065, dated July 24, 2009. 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.