relaxation will result in blending the Cat III operational and system performance distinctions, and appears to ignore the potential reduction in safety'' These individuals also commented that ''* * * fail-passive systems and flight crews trained to the fail-passive minimums and procedures will be permitted to fly to fail-operational minimums.''

In response to Boeing's comment, the FAA notes that the removal of the Category IIIa, IIIb, and IIIc definitions will not affect current FAA category III aircraft certifications or operator authorizations and will not require changes to other FAA regulations. Category III standards used in the United States will be completely unaffected by the removal of the Category IIIa, IIIb, and IIIc definitions. The Category III operational concepts represented by the Category IIIa, IIIb, and IIIc definitions are used to develop the certification and authorization criteria and these criteria are then applied directly to individual aircraft certifications and operator authorizations. Thus, the certification of Category III aircraft systems under Advisory Circular (AC) 120–28D no longer directly refers to the Category IIIa, b, and c definitions contained in 14 CFR 1.1, but uses the airworthiness criteria in the AC and the certification statements refer to those criteria as well. Likewise, Operations Specification (OpSpec) C060, the operational authorization for Category III operators, no longer specifically uses the Category IIIa, IIIb, and IIIc definitions, but rather ties authorized weather minima to the certification level of aircraft, as specified in the AC.

In response to the individual comments, the FAA notes that AC 120–28D uses the ICAO Category IIIa, IIIb, and IIIc definitions in its development of Category III operational concepts. Category IIIa, IIIb, and IIIc definitions will continue to be used unless changed in the normal ICAO process. In its second comment, ICAO stated that this rulemaking would have no impact on the recognition of any CAT III a, b, or c operational approval for international operators or United States-issued operational approvals which conform to Annex 6—*Operation of Aircraft* and therefore has no objection to the change. Thus, operational authorizations for all operators and aircraft certification through AC 120–28D and OpSpec C060 rely only upon the ICAO Category IIIa, IIIb, and IIIc definitions and will be completely unaffected by removing the definitions of Category IIIa, IIIb, and IIIc in the CFR. Additionally, the use of Fail Passive or Fail Operational Category III minima is not bound by the Category III definition. Category III minima are controlled completely by the operational authorization, OpSpec C060, under criteria contained in AC 120–28D. Since, as explained above, the AC criteria will be unaffected by removal of the sub-definitions, CAT III minima authorized through the OpSpec will be unchanged.

Conclusion

After consideration of the comments submitted in response to the direct final rule, the FAA has determined that no further rulemaking action is necessary. Therefore, Amendment 1–67 remains in effect.

How To Obtain Additional Information

A. Rulemaking Documents

An electronic copy of a rulemaking document my be obtained by using the Internet—

1. Search the Federal eRulemaking Portal (*http://www.regulations.gov*);
2. Visit the FAA's Regulations and Policies Web page at *http://www.faa.gov/regulations_policies/* or
3. Access the Government Printing Office's Web page at *http://www.gpoaccess.gov/fr/index.html.*

Copies may also be obtained by sending a request (identified by notice, amendment, or docket number of this rulemaking) to the Federal Aviation Administration, Office of Rulemaking, ARM–1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267–9680.

B. Comments Submitted to the Docket

Comments received may be viewed by going to *http://www.regulations.gov* and following the online instructions to search the docket number for this action. Anyone is able to search the electronic form of all comments received into any of the FAA's dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.).

C. Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 requires FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. A small entity with questions regarding this document, may contact its local FAA official, or the person listed under the **FOR FURTHER INFORMATION CONTACT** heading at the beginning of the preamble. To find out more about SBREFA on the Internet, visit *http://www.faa.gov/regulations_policies/rulemaking/sbre_act/.*

Issued in Washington, DC, on June 11, 2012.

John M. Allen,

Director, Flight Standards Service.

[FR Doc. 2012–16846 Filed 7–9–12; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2011–0961; Directorate Identifier 2011–NE–22–AD; Amendment 39–17120; AD 2012–14–06]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce Corporation Turboshaft Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Rolls-Royce Corporation (RRC) 250–C20, –C20B, and –C20R/2 turboshaft engines. This AD was prompted by seven cases reported of released turbine blades and shrouds, which led to loss of power and engine in-flight shutdowns (IFSDs). This AD requires a one-time visual inspection and fluorescent penetrant inspection (FPI) on certain 3rd and 4th stage turbine wheels for cracks in the turbine blades. We are issuing this AD to prevent failure of 3rd or 4th stage turbine wheel blades which could cause engine failure and damage to the airplane.

DATES: This AD is effective August 14, 2012.

ADDRESSES: For service information identified in this AD, contact Rolls-Royce Corporation Customer Support, P.O. Box 420, Indianapolis, IN 46206–0420; phone: 888–255–4766 or 317–230–2720; fax: 317–230–3381, email: *helicoptercustsupp@rolls-royce.com*, and Web site: *www.rolls-royce.com.* You may review copies of the referenced service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

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 AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: John Tallarovic, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, 2300 E. Devon Ave., Des Plaines, IL 60018; phone: 847–294–8180; fax: 847–294–7834; email: *john.m.tallarovic@faa.gov*.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM published in the **Federal Register** on December 20, 2011 (76 FR 78863). That NPRM proposed to require a one-time visual inspection and FPI on certain 3rd and 4th stage turbine wheels for cracks in the turbine blades.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the proposal and the FAA's response to each comment.

Proposed AD Applicability Clarity

One commenter said that the proposed AD applicability is unclear. The commenter stated that the RRC Commercial Engine Bulletins (CEBs) referenced in the proposed AD apply to specific model 250 engines in MD Helicopter, Inc. aircraft only. However, the proposed AD appears to cover the subject part number (P/N) wheels in three engine models in all applications. Also, the subject P/N wheels can be installed in many engine models in addition to the 250–C20, C20B, and C20R/2 engines called out in the proposed AD. The original issue with the wheels cracking was tied to specific power turbine speed ranges as manifested in specific aircraft applications. As the proposed AD is written, there are airframe applications where one model of installed engine would be subject to the AD and another model being only slightly different and identical in the power turbine section concerned, would not be subject to the AD.

We do not agree. The proposed AD is only applicable to the model 250–C20, C20B, and C20R/2 turboshaft engines on all installations. The affected turbine wheels, P/N 23065818 and P/N 23055944, can be installed on other model 250 engines. However, the proposed AD is only applicable to the model 250–C20, C20B, and C20R/2 turboshaft engines. While RRC Alert CEB–A–1407, Revision 1, dated February 7, 2011 and CEB–A–72–4098, Revision 1, dated February 7, 2011 (combined in one document) is directed at engines installed on MD Helicopters Inc. aircraft, the proposed AD is applicable to all installations of model 250–C20, C20B, and C20R/2 turboshaft engines. The service bulletins do not establish the applicability for the proposed AD. The service bulletins are referenced as related information only. We did not change the AD.

Overhaul Period

One commenter pointed out that paragraph (e)(1) of the proposed AD stated to remove the turbine wheels at the next 1,750 hour overhaul. The overhaul period in these engines is 3,500 hours, not 1,750 hours.

We agree. We changed paragraph (e)(1) to state to remove the 3rd stage turbine wheel, P/N 23065818, and the 4th stage turbine wheel, P/N 23055944, before accumulating 1,750-hours since last inspection.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting the AD with the change described previously.

Costs of Compliance

We estimate that this AD will affect 500 RRC C250–C20, –C20B, and –C20R/2 turboshaft engines installed on aircraft of U.S. registry. We also estimate that it will take about 5 hours to perform a one-time visual inspection and FPI of the 3rd stage turbine wheel and the 4th stage turbine wheel for each engine. The average labor rate is $85 per work-hour. Based on these figures, we estimate the total cost of the AD to U.S. operators to be $212,500.

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

This AD will not have federalism implications under Executive Order 13132. This AD will 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 that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under 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.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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):

2012–14–06 Rolls-Royce Corporation (Formerly Allison Engine Company and Allison Gas Turbine Division of General Motors): Amendment 39–17120; Docket No. FAA–2011–0961; Directorate Identifier 2011–NE–22–AD.

(a) Effective Date

This AD is effective August 14, 2012.

(b) Affected ADs

None.

(c) Applicability

This AD applies only to Rolls-Royce Corporation 250–C20, –C20B, and –C20R/2 turboshaft engines with 3rd stage turbine wheel, part number (P/N) 23065818, and 4th stage turbine wheel, P/N 23055944.

(d) Unsafe Condition

This AD was prompted by seven cases reported of released turbine blades and shrouds, which led to loss of power and engine in-flight shutdowns. We are issuing this AD to prevent failure of 3rd or 4th stage turbine wheel blades which could cause engine failure and damage to the airplane.

(e) Compliance

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

(1) Remove the 3rd stage turbine wheel, P/N 23065818, and the 4th stage turbine wheel, P/N 23055944, within 1,750-hours since last inspection.

(2) Perform a one-time visual inspection and a fluorescent penetrant inspection on the 3rd and 4th stage turbine wheels for cracks at the trailing edge of the turbine blades near the fillet at the rim.

(3) If any cracks in the trailing edge near the rim are detected, do not return the wheel to service.

(f) Alternative Methods of Compliance (AMOCs)

The Manager, Chicago Aircraft Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request.

(g) Related Information

(1) For more information about this AD, contact John Tallarovic, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, 2300 E. Devon Ave., Des Plaines, IL 60018; phone: 847–294–8180; fax: 847–294–7834; email: *john.m.tallarovic@faa.gov.*

(2) Rolls-Royce Corporation Alert Commercial Engine Bulletin No. CEB–A–1407, Revision 1, dated February 7, 2011 and CEB–A–72–4098, Revision 1, dated February 7, 2011 (combined in one document) pertain to the subject of this AD.

(3) For service information identified in this AD, contact Rolls-Royce Corporation Customer Support, P.O. Box 420, Indianapolis, IN 46206–0420; phone: 888–255–4766 or 317–230–2720; fax: 317–230–3381; email: *helicoptercustsupp@rolls-royce.com*, and Web site: *www.rolls-royce.com.*

(4) You may review copies of the referenced service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on June 25, 2012.

Peter A. White,

Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2012–16797 Filed 7–9–12; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2011–0991; Directorate Identifier 2010–NM–134–AD; Amendment 39–17110; AD 2012–13–08]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are superseding an existing airworthiness directive (AD) for certain The Boeing Company Model 747–100, 747–100B, 747–200B, 747–200C, 747–200F, 747–400F, 747SR, and 747SP series airplanes, without a stretched upper deck or stretched upper deck modification. That AD currently requires repetitive inspections for cracks of each affected tension tie and of the surrounding structure, and related investigative and corrective actions if necessary. This new AD requires, for certain airplanes, modifying the tension tie structure or tension tie and frame structure at certain stations; and a post-modification inspection of the modified area and post-modification repetitive inspections of the unmodified area, and repair if necessary. Doing the modification would terminate the repetitive inspection requirements in the existing AD. This AD reduces the compliance time and adds inspections for certain airplanes. This AD was prompted by reports that certain airplanes have tension ties that are susceptible to widespread fatigue damage. This AD also results from reports of cracks on the forward and aft tension tie channels at station (STA) 740 and STA 760, and a determination that initial inspection intervals need to be reduced. We are issuing this AD to prevent tension ties from becoming severed or disconnected from the frames, which could lead to rapid in-flight decompression.

DATES: This AD is effective August 14, 2012.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of August 14, 2012.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of February 16, 2006 (71 FR 1947, January 12, 2006).

ADDRESSES: For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, Washington 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, 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 Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Nathan Weigand, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, Washington 98057–3356; phone: (425) 917–6428; fax: (425) 917–6590; email: *nathan.p.weigand@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2006–01–07, Amendment 39–14446 (71 FR 1947, January 12, 2006). That AD applies to the specified products. The NPRM published in the **Federal Register** on September 22, 2011 (76 FR 58722). That NPRM proposed to continue to require repetitive inspections for cracks of each affected tension tie and of the surrounding structure, and related investigative and corrective actions if necessary. For certain airplanes, that NPRM proposed to require modifying the tension tie structure or tension tie and frame structure at certain stations; and a post-modification inspection of the modified area and post-modification repetitive inspections of the unmodified area, and repair if necessary. Doing the modification would terminate the repetitive inspection requirements in the existing AD. That NPRM also proposed to reduce the compliance time