

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 AD:

**Bombardier, Inc.:** Docket No. FAA–2012–0721; Directorate Identifier 2012–NM–076–AD.

##### (a) Comments Due Date

We must receive comments by September 4, 2012.

##### (b) Affected ADs

None.

##### (c) Applicability

This AD applies to Bombardier, Inc. Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes, certificated in any category; serial numbers 7003 and subsequent, configured with a Class C cargo compartment, including airplanes modified by Supplemental Type Certificate (STC) ST01292NY amended July 7, 2003.

##### (d) Subject

Air Transport Association (ATA) of America Code 25, Equipment/furnishings.

##### (e) Reason

This AD was prompted by reports that airplanes with a Class C cargo (baggage) compartment have liners that do not meet flammability requirements. We are issuing this AD to prevent inadequate fire protection in the cargo compartment and consequent uncontrolled fire.

##### (f) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

##### (g) Actions

Within 28 months after the effective date of this AD, replace the cargo compartment liners in accordance with the Accomplishment Instructions of the applicable service bulletin specified in paragraphs (g)(1) through (g)(3) of this AD. For airplanes that do not have a configuration specified in paragraphs (g)(1) through (g)(3) of this AD: Prior to accomplishing the replacement, convert the cargo compartment

liner to one of the configurations specified in paragraphs (g)(1) through (g)(3) of this AD, in accordance with a method approved by the FAA or Transport Canada Civil Aviation (TCCA) (or its delegated agent). To meet the requirements of this AD, the applicable Bombardier Service Bulletin or COMTEK Service Bulletin must be followed in its entirety, with no mixing of Bombardier-supplied or COMTEK-supplied liners.

(1) For airplanes with North American cargo compartment configuration: Bombardier Service Bulletin 601R–25–187, Revision A, dated September 1, 2011; or COMTEK Service Bulletin COMSB–25–52–001, Revision A, dated December 29, 2011.

(2) For airplanes with European cargo compartment configuration: Bombardier Service Bulletin 601R–25–198, dated September 1, 2011.

(3) For airplanes with Universal cargo compartment configuration: Bombardier Service Bulletin 601R–25–199, dated September 1, 2011.

Note (1) to paragraph (g) of this AD: COMTEK Service Bulletin COMSB–25–52–001, Revision A, dated December 29, 2011, installs STC ST01292NY amended March 21, 2012 (corresponds to Transport Canada Civil Aviation (TCCA) STC SA01–19, Issue 2) flammability-compliant cargo liner replacement panels.

##### (h) Credit for Previous Actions

This paragraph provides credit for certain actions specified in paragraph (g)(1) of this AD, if those actions were performed before the effective date of this AD using Bombardier Service Bulletin 601R–25–187, dated July 21, 2011.

##### (i) Parts Installation Prohibition

(1) As of the effective date of this AD, no person may install a cargo compartment liner, identified as “Pre-SB Part Number” in paragraph 1.M. of the Bombardier service bulletins identified in paragraphs (g)(1) through (g)(3) of this AD; or “Pre-SB P/N” in paragraph 3.D. of COMTEK Service Bulletin COMSB–25–52–001, Revision A, dated December 29, 2011; or FAA STC ST01292NY amended July 7, 2003 [http://www.airweb.faa.gov/Regulatory and Guidance Library/rgrtc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny](http://www.airweb.faa.gov/Regulatory%20and%20Guidance%20Library/rgrtc.nsf/0/1BB5140B1D3A130086256D7A006DF851?OpenDocument&Highlight=st01292ny); on any airplane.

##### (j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office (ACO), ANE–170, 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 ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone 516–228–7300; fax 516–794–5531. 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 or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

##### (k) Related Information

(1) Refer to MCAI Canadian Airworthiness Directive CF–2012–11, dated March 23, 2012, and the service information identified in paragraphs (k)(1)(i) through (k)(1)(iv) of this AD, for related information.

(i) Bombardier Service Bulletin 601R–25–187, Revision A, dated September 1, 2011.

(ii) Bombardier Service Bulletin 601R–25–198, dated September 1, 2011.

(iii) Bombardier Service Bulletin 601R–25–199, dated September 1, 2011.

(iv) COMTEK Service Bulletin COMSB–25–52–001, Revision A, dated December 29, 2011.

(2) For Bombardier service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. For COMTEK service information identified in this AD, contact Comtek Aftermarket Structures, 1360 Artisans Court, Burlington, Ontario, Canada, L7L 5Y2; telephone 905–331–8121; fax 905–331–8125; email [abrown@comtekadvanced.com](mailto:abrown@comtekadvanced.com); Internet <http://www.comtekadvanced.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.

Issued in Renton, Washington, on July 6, 2012.

**Kalene C. Yanamura,**

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

[FR Doc. 2012–17608 Filed 7–18–12; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2012–0746; Directorate Identifier 2008–SW–35–AD]

RIN 2120–AA64

#### Airworthiness Directives; MD Helicopters, Inc. (MDHI) Helicopters

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

**ACTION:** Notice of Proposed Rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for MDHI Model 500N, 600N, and MD900 helicopters to require determining the cure date for each NOTAR fan blade tension-torsion strap (T-T strap), establishing a calendar-time retirement life for certain T-T straps, reducing the retirement life of certain T-T straps, marking each T-T strap with the expiration date, creating a component record card for each T-T strap, and revising the airworthiness limitations section of the maintenance manual to reflect the changes to the retirement life. This proposal is prompted by a report from the T-T strap manufacturer that, over a period of time, moisture may reduce the strength of a T-T strap. The proposed actions are intended to prevent failure of a T-T strap, loss of directional control and subsequent loss of control of the helicopter.

**DATES:** We must receive comments on this proposed AD by September 17, 2012.

**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> 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 economic 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 service information identified in this proposed AD, contact MD Helicopters, Inc., Attn: Customer Support Division, 4555 E. McDowell Rd., Mail Stop M615, Mesa, Arizona 85215-9734, telephone 1-800-388-3378, fax 480-346-6813, or on the Web at <http://www.mdhelicopters.com>. You

may review a copy of the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:** John Cecil, Aviation Safety Engineer, FAA, Los Angeles Aircraft Certification Office, Airframe Branch, 3960 Paramount Blvd., Lakewood, California 90712-4137; telephone 562-627-5228, fax 562-627-5210; email: [john.cecil@faa.gov](mailto:john.cecil@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**

The manufacturer has issued service information that indicates that it and its supplier, Lord Corporation, have determined that certain T-T straps can, over time, absorb moisture that can weaken the T-T strap. It indicates that a T-T strap failure can cause decreased directional control of the helicopter. Accordingly, it specifies, in addition to the current time-in-service (TIS) retirement life limit, an additional calendar-time retirement life limit for four part-numbered T-T straps and a reduced retirement life of 2,500 hours TIS for T-T strap, part number (P/N) 500N5311-5, if it is installed on a Model 500N or 600N helicopter after it has been installed on a Model MD900

helicopter. The calendar life would start when the package was opened.

This action proposes to adopt these new calendar-life limits for T-T straps, P/N 500N5311-5, P/N 900R3442009-101, P/N 900R3442009-103, and P/N 900R6442009-103, measured from the manufacturer's cure date or the date the package containing the T-T strap was opened exposing it to the environment outside the package. We are also proposing to adopt requirements that a component record card be created and that the T-T straps be marked with the retirement life limit calendar date (expiration date).

For the MDHI Model MD900 helicopters, AD 2006-18-01 (71 FR 51095, August 29, 2006) already contains a revised TIS life limits for T-T straps, P/N 900R3442009-103 and P/N 900R6442009-103 and additional inspection requirements for all four affected T-T straps, P/N 500N5311-5, P/N 900R3442009-101, P/N 900R3442009-103, and P/N 900R6442009-103. The requirements of that AD 2006-18-01 would remain in effect.

##### **FAA's Determination**

We are proposing this AD because we evaluated all known relevant information and determined that an unsafe condition exists and is likely to exist or develop on other products of these same type designs.

##### **Related Service Information**

We have reviewed one MDHI service bulletin, which contains two service bulletin numbers, SB500N-029R3, applicable to MDHI Model 500N helicopters; and SB600N-046R3, applicable to MDHI Model 600N helicopters, dated July 9, 2008. We have also reviewed MDHI SB900-107R1, dated March 14, 2008, applicable to MDHI Model MD900 helicopters. All of the service bulletins describe procedures for establishing a retirement life for each affected T-T strap by determining the manufacturer's cure date and marking the T-T strap with an expiration date; creating a component record card for each affected T-T strap; replacing T-T straps that have been in service beyond their revised life limit; and recording compliance with their service information in the Rotorcraft Log Book.

##### **Proposed AD Requirements**

This proposed AD would require, within six months:

- Determining the manufacturer's cure date for T-T strap, P/N 500N5311-5 (installed on MDHI Model 500N and

MDHI 600N helicopters), and P/N 500N5311-5, P/N 900R3442009-101, P/N 900R3442009-103, or P/N 900R6442009-103 (installed on MDHI Model MD900 helicopters);

- Creating a component record card for each affected T-T strap and recording the expiration date on the card;

- Revising the Airworthiness Limitations Section of the applicable maintenance manual with the additional or revised retirement life limit for the T-T straps; and

- Before a T-T strap is installed on any Model 500N, 600N, or MD900 helicopter, the T-T strap be marked with the expiration date.

#### Differences Between This Proposed AD and the Service Information

This proposed AD differs from the previously described service bulletins as follows:

- This AD proposes requirements for T-T straps that are installed or will be installed on the affected helicopters, but does not address a part that is in storage.

- For a T-T strap with five or more calendar years from the manufacturer's cure date, this AD proposes, before further flight, replacing the T-T strap with an airworthy T-T strap. The service bulletins specify the T-T strap to be replaced within six, 12, or 24 months, depending on the manufacturing cure date.

- The service bulletins specify to send removed parts to the manufacturer, and this proposed AD does not require this action.

- This AD proposes reducing the life limit for any T-T strap, P/N 500N5311-5, to 2500 hours TIS if the T-T strap has been installed on a MDHI Model MD900 helicopter.

#### Costs of Compliance

We estimate that this proposed AD would affect 111 helicopters of U.S. registry, including 73 helicopters in the combined MDHI Model 500N and MDHI Model 600N fleet, and 38 MDHI Model MD900 helicopters. Determining the manufacturer's cure date, the expiration date, marking an expiration date on the T-T strap, creating the component record card, revising the applicable airworthiness limitations section of the maintenance manual, and re-installing the T-T strap would take about 40 work-hours per helicopter for Model 500N and Model 600N helicopters, and 32 work-hours per helicopter for Model MD900 helicopters, at an average labor rate of \$85 per work-hour. Required parts would cost about \$1,340 per T-T strap. Based on these figures, the total cost impact of the proposed AD on U.S.

operators would be about \$543,180 for the entire fleet, assuming all T-T straps would be marked, and assuming 11 helicopters would need T-T strap replaced (13 T-T straps 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):

**MD Helicopters, Inc. (MDHI):** Docket No. FAA-2012-0746; Directorate Identifier 2008-SW-35-AD.

#### (a) Applicability

MDHI Model 500N and 600N helicopters, with a NOTAR fan blade tension-torsion strap (T-T strap), part number (P/N) 500N5311-5; and MDHI Model MD900 helicopters, with a T-T strap, P/N 500N5311-5, P/N 900R3442009-101, P/N 900R3442009-103, or P/N 900R6442009-103; certificated in any category.

#### (b) Unsafe Condition

This AD defines the unsafe condition as a decrease, over time, in the strength of a T-T strap caused by moisture. This condition could result in failure of a T-T strap, loss of directional control, and subsequent loss of control of the helicopter.

#### (c) 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.

#### (d) Required Actions

(1) Within six months, determine the manufacturer's cure date of each of the 13 T-T straps.

(i) For a T-T strap with five or more calendar years from the manufacturer's cure date, before further flight, replace the T-T strap with an airworthy T-T strap.

(ii) For a T-T strap with less than five calendar years from the manufacturer's cure date, mark the expiration date on the T-T strap face in permanent ink.

(2) Thereafter, before installing a T-T strap, mark the expiration date on the T-T strap using permanent ink. The expiration date is five years from the date the T-T strap package was opened, or if that date was not recorded, five years from the manufacturer's cure date.

(3) On or before the date you comply with paragraph (d)(1) or (d)(2) of this AD, create a component record card for each T-T strap and record on the card the manufacturer's cure date or the date that the T-T strap package was opened, if that date was recorded previously, and the T-T strap expiration date.

(4) This AD revises the Airworthiness Limitations section of the maintenance manual by establishing:

(i) A calendar life limit for the T-T straps, P/N 500N5311-5, 900R3442009-101, 900R3442009-103, and 900R6442009-103 of

five years from the date the T-T strap package was opened, or if that date was not recorded, five years from the manufacturer's cure date.

(ii) A 2,500 hour time-in-service (TIS) life limit for any T-T straps, P/N 500N5311-5, installed on a Model 500N or Model 600N helicopter that was previously installed on a Model MD900 helicopter.

**Note to paragraph (d) of this AD:** For the MDHI Model MD900 helicopters, AD 2006-18-01 (71 FR 51095, August 29, 2006) contains additional TIS life limits for T-T straps, P/N 900R3442009-103 and P/N 900R6442009-103 and additional inspection requirements for all four affected T-T straps, P/N 500N5311-5, P/N 900R3442009-101, P/N 900R3442009-103, and P/N 900R6442009-103.

#### (e) Alternative Methods of Compliance (AMOC)

(1) The Manager, Los Angeles Aircraft Certification Office, FAA, may approve AMOCs for this AD. Send your proposal to: John Cecil, Aviation Safety Engineer, FAA, Los Angeles Aircraft Certification Office, Airframe Branch, 3960 Paramount Blvd., Lakewood, California 90712-4137; telephone 562-627-5228, fax 562-627-5210; email: [john.cecil@faa.gov](mailto:john.cecil@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.

#### (f) Additional Information

MDHI has issued one service bulletin with two numbers, SB500N-029R3 for the Model 500N helicopters, and SB600N-046R3 for the Model 600N helicopters, dated July 9, 2008. MD Helicopters, Inc. has also issued SB900-107R1, dated March 14, 2008, for the Model MD900 helicopters. These service bulletins, which are not incorporated by reference, contain information related to the subject of this AD. For this service information, contact MD Helicopters, Inc., Attn: Customer Support Division, 4555 E. McDowell Rd., Mail Stop M615, Mesa, Arizona 85215-9734, telephone 1-800-388-3378, fax 480-346-6813, or on the web at <http://www.mdhelicopters.com>. You may review a copy of this information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

#### (g) Subject

Joint Aircraft Service Component (JASC)  
Code: 6410: Tail rotor blades.

Issued in Fort Worth, Texas, on July 10, 2012.

**Kim Smith,**  
Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2012-17616 Filed 7-18-12; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Parts 1 and 301

[REG-153627-08]

RIN-1545-BI40

#### Reporting and Notice Requirements for Deferred Vested Benefits Under Section 6057; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to notice of proposed rulemaking.

**SUMMARY:** This document corrects a notice of proposed rulemaking (REG-153627-08) that was published in the **Federal Register** on Thursday, June 21, 2012 (77 FR 37352), that would provide guidance relating to automatic extensions of time for filing certain employee plan returns by adding the Form 8955-SSA, "Annual Registration Statement Identifying Separated Participants With Deferred Vested Benefits," to the list of forms that are covered by the Income Tax Regulations on automatic extensions.

**FOR FURTHER INFORMATION CONTACT:** William Gibbs, Sarah Bolen, or Pamela Kinard, (202) 622-6060 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

##### Background

The notice of proposed rulemaking (REG-153627-08) that is the subject of this correction is under section 6057 of the Internal Revenue Code.

##### Need for Correction

As published, REG-153627-08 contains an error that may prove to be misleading and is in need of clarification.

##### Correction of Publication

Accordingly, the publication of the notice of proposed rulemaking (REG-153627-08) that was the subject of FR Doc. 2012-15068, is corrected as follows:

On page 37354, column 1, in the preamble, under the paragraph heading "Background", line four of the column, the language "Employee Benefit Returns," and file the" is corrected to read, "Employee Plan Returns," and file the".

**LaNita Van Dyke,**

Chief, Publications and Regulations Branch,  
Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. 2012-17545 Filed 7-18-12; 8:45 am]

BILLING CODE 4830-01-P

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1952

[Docket ID. OSHA 2012-0029]

RIN 1218-AC78

#### Hawaii State Plan for Occupational Safety and Health; Proposed Modification of 18(e) Plan Approval

**AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.

**ACTION:** Notice of opportunity to request informal public hearing; request for written comments.

**SUMMARY:** Hawaii administers an occupational safety and health state plan approved by federal OSHA. During the past three years, the state plan has faced significant budgetary constraints and staffing challenges, and has requested federal OSHA assistance to ensure that workers are afforded adequate worker protection during this period. The Hawaii Director of Labor and Industrial Relations has requested a temporary modification of the state plan's approval status from final approval to initial approval, to permit exercise of supplemental federal enforcement and to allow Hawaii sufficient time and assistance to strengthen and improve its state plan performance. Hawaii has pledged to accomplish the necessary corrective action to regain final approval status in a timely manner. OSHA is soliciting written comments to ensure that all relevant information, views and data are available to the Assistant Secretary during this proceeding. Members of the public may also submit requests for an informal hearing, which will be scheduled if the Assistant Secretary finds that substantial issues are raised that necessitate a hearing.

**DATES:** Comments and requests for an informal hearing must be received by August 23, 2012.

**ADDRESSES:** Written comments: You may submit comments, identified by docket number OSHA-2012-0029, or regulatory information number (RIN) 1218-AC78, by any of the following methods:

*Electronically:* You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions on-line for making electronic submissions; or