

an immediate effective date. For the same reasons, the FDIC finds that there is good cause for this Final Rule to take effect immediately upon publication in the **Federal Register**. The Final Rule is identical to the Interim Final Rule that became effective on November 30, 2010. No purpose would be served by delaying the Final Rule's effective date.

#### *B. Riegle Community Development and Regulatory Improvement Act*

The Riegle Community Development and Regulatory Improvement Act provides that any new regulations or amendments to regulations prescribed by a Federal banking agency that impose additional reporting, disclosures, or other new requirements on insured depository institutions shall take effect on the first day of a calendar quarter which begins on or after the date on which the regulations are published in final form, unless the agency determines, for good cause published with the rule, that the rule should become effective before such time.<sup>2</sup> For the same reasons discussed above, the FDIC finds that good cause exists for an immediate effective date for the Final Rule.

#### *C. Paperwork Reduction Act*

The Final Rule contains no new collections of information as defined by the Paperwork Reduction Act.

#### *D. Regulatory Flexibility Act*

Pursuant to the Regulatory Flexibility Act (RFA), a regulatory flexibility analysis is required only when the agency must publish a notice of proposed rulemaking.<sup>3</sup> As discussed in the Interim Final Rule and above, the FDIC has determined for good cause that general notice and opportunity for comment is unnecessary. Therefore, the RFA, pursuant to 5 U.S.C. 601(2), does not apply.

#### *E. Small Business Regulatory Enforcement Fairness Act*

The Office of Management and Budget (OMB) has determined that the Final Rule is not a "major rule" within the meaning of the relevant sections of the Small Business Regulatory Enforcement Act of 1996 (SBREFA) (5 U.S.C. 801, *et seq.*).

As required by SBREFA, the FDIC will file the appropriate reports with Congress and the General Accounting Office so that the Final Rule may be reviewed.

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

The FDIC has determined that the Final Rule will not affect family well-being within the measure of section 654 of the Treasury and General Government Appropriations Act, enacted as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (Pub. L. 105-277, 112 Stat. 2681).

#### *G. Plain Language*

Section 722 of the Gramm-Leach-Bliley Act, Public Law 106-102, 113 Stat. 1338, 1471 (November 12, 1999), requires the federal banking agencies to use plain language in all proposed and final rules published after January 1, 2000. The FDIC has sought to present the revisions to Part 335 in a simple and straightforward manner. It requested comments on all aspects of the Interim Final Rule and received none.

#### **List of Subjects in 12 CFR Part 335**

Accounting, Banks, Banking, Confidential business information, Reporting and recordkeeping requirements, Securities.

#### **PART 335—SECURITIES OF NONMEMBER INSURED BANKS**

■ Accordingly, the interim rule amending 12 CFR part 335 which was published at 75 FR 73947 on November 30, 2010, is adopted as a final rule without change.

[FR Doc. 2011-11788 Filed 5-13-11; 8:45 am]

**BILLING CODE 6714-01-P**

### **DEPARTMENT OF TRANSPORTATION**

#### **Federal Aviation Administration**

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

[Docket No. **FAA-2011-0452**; Directorate Identifier **2008-SW-27-AD**; Amendment **39-16692**; AD **2011-10-11**]

**RIN 2120-AA64**

#### **Airworthiness Directives; Agusta S.p.A. Model AB412 Helicopters**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for Agusta S.p.A. (Agusta) Model AB412 helicopters. This AD results from

mandatory continuing airworthiness information (MCAI) originated by the aviation authority of Italy to identify and correct an unsafe condition related to the rescue hoist hook installed on this model helicopter. The aviation authority of Italy, with which we have a bilateral agreement, states in the MCAI that a missing lock pin may cause the loss of the hoist hook and any load. The absence of the lock pin constitutes an unsafe condition, and this AD is intended to detect the presence of an identification plate marked "BT 412-124," which indicates that the hook assembly has the lock pin installed to prevent the loss of a rescue hoist hook and its load.

**DATES:** This AD becomes effective on May 31, 2011.

We must receive comments on this AD by July 15, 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 W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may get the service information identified in this AD from Via Giovanni Agusta, 520 21017 Cascina Costa di Samarate (VA), Italy, telephone 39 0331-229111, fax 39 0331-229605/222595, or at [http://customersupport.agusta.com/technical\\_advice.php](http://customersupport.agusta.com/technical_advice.php).

**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 AD, 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:** George Schwab, Aerospace Engineer, Safety Management Group, FAA, Rotorcraft Directorate, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone (817) 222-5114; fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:**

<sup>2</sup> 12 U.S.C. 4802.

<sup>3</sup> 5 U.S.C. 603, 604.

## Discussion

The Ente Nazionale Per L'Aviazione Civile (ENAC), which is the aviation authority for Italy, has issued Italian Airworthiness Directive No. 2008-62, dated February 19, 2008 (referred to after this as "the MCAI"), to correct an unsafe condition for these Italian-certificated helicopters. The MCAI states that a missing lock pin may cause the loss of the hoist hook and any load. The absence of the lock pin constitutes an unsafe condition, and this AD is intended to detect the presence of an identification plate marked "BT 412-124," which indicates that the hook assembly has the lock pin installed to prevent the loss of a rescue hoist hook and its load.

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

## Related Service Information

Agusta has issued Alert Bollettino Tecnico No. 412-124, dated February 19, 2008, that describes performing a one-time inspection to verify the presence of a lock pin in the installed and spare hoist hook assemblies, returning the hoist hook assembly to Agusta if it is missing a lock pin, or installing a plate on the hoist showing compliance with the inspection if a lock pin is present. The actions described in this service information are intended to correct the same unsafe condition as that identified in the MCAI.

## FAA's Evaluation and Unsafe Condition Determination

These helicopters have been approved by the aviation authority of Italy, and are approved for operation in the United States. Pursuant to our bilateral agreement with Italy, they have notified us of the unsafe condition described in the MCAI. We are issuing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other helicopters of this same type design.

## Differences Between This AD and the MCAI

This AD differs from the MCAI as follows:

- We do not require inspecting spare part hook assemblies.
- We do not require a March 31, 2008 compliance time because that date has passed.
- We do not require returning a hook assembly in which there is no lock pin installed to the manufacturer.

These differences are highlighted in the "Differences Between this AD and the MCAI" section in the AD.

## Costs of Compliance

There are no costs of compliance since there are no helicopters of this type design on the U.S. Registry.

## FAA's Determination of the Effective Date

Since there are currently no affected U.S. registered helicopters, we have determined that notice and opportunity for prior public comment before issuing this AD are unnecessary, and that good cause exists for making this amendment effective in less than 30 days.

## Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2011-0452; Directorate Identifier 2008-SW-27-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of 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 AD.

## 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 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 this AD:

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); and
3. 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 AD:

**2011-10-11 AGUSTA S.p.A.:** Amendment 39-16692. Docket No. FAA-2011-0452; Directorate Identifier 2008-SW-27-AD.

### Effective Date

- (a) This airworthiness directive (AD) becomes effective on May 31, 2011.

### Other Affected ADs

- (b) None.

### Applicability

- (c) This AD applies to Model AB412 helicopters, with rescue hoist assembly, part number (P/N) BL-10300-60 or P/N 412-8800-01-315 with a rescue hook assembly, P/N S6150-61090-1 or P/N 412-8800-05-101, installed, certificated in any category.

### Reason

- (d) The mandatory continued airworthiness information (MCAI) states that a missing lock pin may cause the loss of the hoist hook and any load. The absence of the lock pin constitutes an unsafe condition and this AD is intended to detect the absence of this lock pin to prevent the loss of a rescue hoist hook and its load.

## Actions and Compliance

(e) Before further flight, unless accomplished previously, inspect the rescue hoist hook assembly (hook assembly) for the presence of an attached identification plate marked "BT 412-124."

(1) If this identification plate is installed on the hook assembly, no further action is required.

(2) If this identification plate is not installed on the hook assembly:

(i) Review the hook assembly maintenance records to determine if the hook assembly was manufactured after April 1, 2008. If so, no further action is required.

(ii) If the hook assembly date of manufacture is March 31, 2008, or earlier or if the date of manufacture cannot be determined, replace the hook assembly with an airworthy hook assembly that was either manufactured after April 2, 2008, or has an identification plate installed that is marked "BT 412-124."

## Differences Between This AD and the MCAI

(f) This AD differs from the MCAI as follows:

(1) We do not require inspecting spare part hook assemblies.

(2) We do not require a March 31, 2008 compliance time because that date has passed.

(3) We do not require returning a hook assembly in which there is no lock pin installed to the manufacturer.

## Other Information

(g) Alternative Methods of Compliance (AMOCs): The Manager, Safety Management Group, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: George Schwab, Aerospace Engineer, Safety Management Group, FAA, Rotorcraft Directorate, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone (817) 222-5114; fax (817) 222-5961.

## Related Information

(h) Mandatory Continuing Airworthiness Information (MCAI) Ente Nazionale Per L'Aviazione Civile (ENAC) Airworthiness Directive No. 2008-62, dated February 19, 2008, and Agusta Alert Bollettino Tecnico No. 412-124, dated February 19, 2008, contain related information.

(i) The Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code is 2550, External Load Handling Equipment.

Issued in Fort Worth, Texas, on April 28, 2011.

**Scott A. Horn,**

*Acting Manager, Rotorcraft Directorate,  
Aircraft Certification Service.*

[FR Doc. 2011-11797 Filed 5-13-11; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 30781; Amdt. No. 3424]

#### Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** This establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective May 16, 2011. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 16, 2011.

**ADDRESSES:** Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located;

3. The National Flight Procedures Office, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

*Availability*—All SIAPs and Takeoff Minimums and ODPs are available

online free of charge. Visit <http://www.nfdc.faa.gov> to register.

Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

#### FOR FURTHER INFORMATION CONTACT:

Harry J. Hodges, Flight Procedure Standards Branch (AFS-420), Flight Technologies and Programs Divisions, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082, Oklahoma City, OK 73125) Telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This rule amends Title 14 of the Code of Federal Regulations, part 97 (14 CFR part 97), by establishing, amending, suspending, or revoking SIAPs, Takeoff Minimums and/or ODPs. The complete regulators description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms are FAA Forms 8260-3, 8260-4, 8260-5, 8260-15A, and 8260-15B when required by an entry on 8260-15A.

The large number of SIAPs, Takeoff Minimums and ODPs, in addition to their complex nature and the need for a special format make publication in the Federal Register expensive and impractical. Furthermore, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their depiction on charts printed by publishers of aeronautical materials. The advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA forms is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPs and the effective dates of the associated Takeoff Minimums and ODPs. This amendment also identifies the airport and its location, the procedure, and the amendment number.

#### The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as contained in the transmittal. Some SIAP and Takeoff Minimums and