

platform only to transact with [name of entity]. You are not trading with any other entities or customers of [name of entity] by accessing such platform. The availability and operation of any such platform, including the consequences of the unavailability of the trading platform for any reason, is governed only by the terms of your account agreement with [name of entity].

(3) You may be able to offset or liquidate any trading positions only through [name of national bank] because the transactions are not made on an exchange or regulated contract market, and [name of entity] may set its own prices. Your ability to close your transactions or offset positions is limited to what [name of entity] will offer to you, as there is no other market for these transactions. [Name of entity] may offer any prices it wishes, including prices derived from outside sources or not in its discretion. [Name of entity] may establish its prices by offering spreads from third-party prices, but it is under no obligation to do so or to continue to do so. [Name of entity] may offer different prices to different customers at any point in time on its own terms. The terms of your account agreement alone govern the obligations [name of entity] has to you to offer prices and offer offset or liquidating transactions in your account and make any payments to you. The prices offered by [name of entity] may or may not reflect prices available elsewhere at any exchange, interbank, or other market for foreign currency.

(4) Paid solicitors may have undisclosed conflicts. [Name of entity] may compensate introducing brokers for introducing your account in ways that are not disclosed to you. Such paid solicitors are not required to have, and may not have, any special expertise in trading and may have conflicts of interest based on the method by which they are compensated. You should thoroughly investigate the manner in which all such solicitors are compensated and be very cautious in granting any person or entity authority to trade on your behalf. You should always consider obtaining dated written confirmation of any information you are relying on from [name of entity] in making any trading or account decisions.

(5) Retail forex transactions are not insured by the Federal Deposit Insurance Corporation.

(6) Retail forex transactions are not a deposit in, or guaranteed by, [name of entity].

(7) Retail forex transactions are subject to investment risks, including possible loss of all amounts invested.

Finally, you should thoroughly investigate any statements by [name of entity] that minimize the importance of, or contradict, any of the terms of this risk disclosure. These statements may indicate sales fraud.

This brief statement cannot, of course, disclose all the risks and other aspects of trading off-exchange foreign currency with [name of entity].

I hereby acknowledge that I have received and understood this risk disclosure statement.

\_\_\_\_\_  
Date  
\_\_\_\_\_  
Signature of Customer  
\* \* \* \* \*

■ 6. In § 48.16, revise paragraph (a)(5) to read as follows:

**§ 48.16 Customer dispute resolution.**

(a) \* \* \*

(5) The agreement must include the following language printed in large boldface type:

Two forums exist for the resolution of disputes related to retail forex transactions: civil court litigation and arbitration conducted by a private organization. The opportunity to settle disputes by arbitration may in some cases provide benefits to customers, including the ability to obtain an expeditious and final resolution of disputes without incurring substantial cost. Each customer must individually examine the relative merits of arbitration and consent to this arbitration agreement must be voluntary.

By signing this agreement, you: (1) May be waiving your right to sue in a court of law; and (2) are agreeing to be bound by arbitration of any claims or counterclaims that you or [name of entity] may submit to arbitration under this agreement. In the event a dispute arises, you will be notified if [name of entity] intends to submit the dispute to arbitration.

You need not sign this agreement to open or maintain a retail forex account with [name of entity].

\* \* \* \* \*

Dated: September 1, 2011.

**John Walsh,**

*Acting Comptroller of the Currency.*

[FR Doc. 2011-23033 Filed 9-9-11; 8:45 am]

**BILLING CODE 4810-33-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 33**

**[Docket No. NE133; Special Condition No. 33-010-SC]**

**Special Conditions: Pratt and Whitney Canada Model PT6C-67E Turboshaft Engine**

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

**ACTION:** Final special conditions.

**SUMMARY:** These special conditions are issued for Pratt and Whitney Canada (PWC) model PT6C-67E engines. The engine model will have a novel or unusual design feature which is a 30-Minute All Engines Operating (AEO) power rating. This rating is primarily intended for high power hovering operations during search and rescue

missions. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the added safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** The effective date of these special conditions is October 12, 2011.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this rule, contact Marc Bouthillier, ANE-111, Engine and Propeller Directorate, Aircraft Certification Service, 12 New England Executive Park, Burlington, Massachusetts 01803-5299; telephone (781) 238-7120; facsimile (781) 238-7199; e-mail [marc.bouthillier@faa.gov](mailto:marc.bouthillier@faa.gov). For legal questions concerning this rule, contact Vincent Bennett, ANE-7 Engine and Propeller Directorate, Aircraft Certification Service, 12 New England Executive Park, Burlington, Massachusetts 01803-5299; telephone (781) 238-7044; facsimile (781) 238-7055; e-mail [vincent.bennett@faa.gov](mailto:vincent.bennett@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 10, 2008, PWC applied for type certification for the model PT6C-67E turboshaft engine. The PT6C-67E engine is a derivative of the PT6C-67C engine which has been type certificated by the FAA. This engine incorporates a four-stage axial compressor and a centrifugal compressor driven by a single stage high pressure turbine (HPT) and a two-stage power turbine (PT) driving a helicopter rotor system via a direct drive to the engine output shaft. The control system includes a dual channel full authority digital electronic control.

The engine will incorporate a novel or unusual design feature which is a 30-minute AEO power rating. This rating was requested by the applicant to support rotorcraft search and rescue missions that require extensive hover operations at high power. The use of 30-minute AEO power is limited to a cumulative total of 50 minutes for any given flight. However, the number of times the rating can be accessed on any given flight is not limited, as long as 50 minutes total time per flight is not exceeded.

The applicable airworthiness standards do not contain adequate or appropriate airworthiness standards to address this design feature. Therefore a special condition is necessary to apply additional requirements for rating definition, instructions for continued airworthiness (ICA), and endurance

testing. The ICA requirement is intended to address the unknown nature of actual rating usage and associated engine deterioration. The applicant is expected to make an assessment of the expected usage and publish ICA's and Airworthiness Limitations section limits in accordance with those assumptions, such that engine deterioration is not excessive.

The endurance test requirement of 25 hours operation at 30 minutes AEO is similar to several special conditions issued over the past 20 years. Because the PT6C-67E model has a Continuous One-Engine-Inoperative (OEI) rating and limits equal or higher than the 30-minute AEO rating, the test time performed at the Continuous OEI rating may be credited toward the 25-hour requirement. However, test time spent at other rating elements of the test, such as takeoff or other OEI ratings (that may be equal to or higher values), may not be counted toward the 25 hours of required running.

These special conditions contain the additional airworthiness standards necessary to establish a level of safety equivalent to the level that would result from compliance with the applicable standards of airworthiness in effect on the date of application.

#### **Type Certification Basis**

Under the provisions of 14 CFR 21.17 and 21.101(a), PWC must show that the model PT6C-67E turboshaft engine meets the provisions of the applicable regulations in effect on the date of application, unless otherwise specified by the FAA. The current certification basis for this model series is 14 CFR part 33 Amendment 20, however PWC proposes to demonstrate compliance to later amendments of part 33 for this model. In accordance with 14 CFR 21.101(b), the FAA concurs with the PWC proposal. Therefore, the certification basis for the PT6C-67E model turboshaft engine will be part 33, effective February 1, 1965, as amended by Amendments 33-1 through 33-30.

If the Administrator finds that the applicable airworthiness regulations in part 33, as amended, do not contain adequate or appropriate safety standards for the PWC model PT6C-67E turboshaft engine, because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

The FAA issues special conditions, as defined by 14 CFR 11.19, in accordance with 14 CFR 11.38, which become part of the type certification basis in accordance with § 21.17(b)(2).

Special conditions are initially applicable to the model for which they

are issued. Should the type certificate for that model be amended later to include another related model that incorporates the same or similar novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same or similar novel or unusual design feature, the special conditions would also apply to the other model.

#### **Novel or Unusual Design Features**

The PWC model PT6C-67E turbo shaft engine will incorporate a novel or unusual design feature which is a 30-Minute All Engine Operating (AEO) power rating, for use up to 30 minutes at any time between take-off and landing. This design feature is considered to be novel and unusual relative to the part 33 airworthiness standards.

#### **Discussion of Comments**

Notice of proposed special conditions, Notice 33-11-02-SC for the PT6C-67E engine model was published on July 7, 2011 (76 FR 39795). No comments were received.

We added a statement to paragraph 2(c)(1) of the special conditions that clarifies the elements of the referenced test that cannot be taken credit for. The text change is for clarification only and does not change the requirement as proposed.

Paragraph 2(c)(1) previously read:  
(1) Each § 33.87(d) continuous OEI rating test period of 30 minutes or longer, run at power and limits equal to or higher than the 30 minute AEO rating, may be credited toward this requirement.

Paragraph 2(c)(1) now reads:  
(1) Each § 33.87(d) continuous OEI rating test period of 30 minutes or longer, run at power and limits equal to or higher than the 30 minute AEO rating, may be credited toward this requirement. Note that the test time required for the takeoff or other OEI ratings may not be counted toward the 25 hours of operation required at the 30-minute AEO rating.

#### **Applicability**

These special conditions are applicable to PWC model PT6C-67E turbo shaft engines. If Pratt and Whitney Canada applies later for a change to the type certificate to include another closely related model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well, and would be made part of the certification basis for that model.

#### **Conclusion**

We reviewed the available data and have determined that air safety and the public interest require adopting these special conditions as proposed. This action affects only certain novel or unusual design features on the Pratt and Whitney Canada Model PT6C-67E Turboshaft Engine. It is not a rule of general applicability, and it affects only the applicant who applied to the FAA for approval of this feature on the engine product.

#### **List of Subjects in 14 CFR Part 33**

Air transportation, Aircraft, Aviation safety, Safety.

The authority citation for these special conditions continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701-44702, 44704.

#### **The Special Conditions**

Accordingly, the FAA issues the following special conditions as part of the type certification basis for PWC model PT6C-67E turbo shaft engines.

##### **1. Part 1 Definitions**

Unless otherwise approved by the Administrator and documented in the appropriate manuals and certification documents, the following definition applies to these special conditions: "Rated 30 Minute AEO Power," means the approved shaft horsepower developed under static conditions at the specified altitude and temperature, and within the operating limitations established under part 33, and limited in use to periods not exceeding 30 minutes, and limited to a cumulative total of 50 minutes use for any given flight.

##### **2. Part 33 Requirements**

(a) Sections 33.1 Applicability and 33.3 General: As applicable, all documentation, testing and analysis required to comply with the part 33 certification basis must account for the 30 minute AEO rating, limits and usage.

(b) Section 33.4, Instructions for Continued Airworthiness (ICA). In addition to the requirements of § 33.4, the ICA must:

(1) Include instructions to ensure that in-service engine deterioration due to rated 30 minute AEO power usage will not be excessive, meaning that all other approved ratings, including One Engine Inoperative (OEI), are available (within associated limits and assumed usage) for each flight; and that deterioration will not exceed that assumed for declaring a Time Between Overhaul period.

(i) The applicant must validate the adequacy of the maintenance actions required under paragraph (b)(1) above.

(2) Include in the Airworthiness Limitations section, any mandatory inspections and serviceability limits related to the use of the 30-minute AEO rating.

(c) Section 33.87, Endurance Test. In addition to the requirements of §§ 33.87(a) and 33.87(d), the overall test run must include a minimum of 25 hours of operation at 30 minute AEO power and limits, divided into periods of 30 minutes AEO power with alternate periods at maximum continuous power or less.

(1) Each § 33.87(d) continuous OEI rating test period of 30 minutes or longer, run at power and limits equal to or higher than the 30 minute AEO rating, may be credited toward this requirement. Note that the test time required for the takeoff or other OEI ratings may not be counted toward the 25 hours of operation required at the 30-minute AEO rating.

Issued in Burlington, Massachusetts, on August 31, 2011.

**Peter A. White,**

*Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 2011-23189 Filed 9-9-11; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2010-1325; Airspace Docket No. 10-ASO-40]

#### Amendment of Class E Airspace; Orangeburg, SC

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects the geographic coordinates and state abbreviation of a final rule published in the *Federal Register* of July 25, 2011, that amends Class E airspace at Orangeburg Municipal Airport, Orangeburg, SC.

**DATES:** Effective Date 0901 UTC, October 20, 2011.

**FOR FURTHER INFORMATION CONTACT:**

Richard Horrocks, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5588.

**SUPPLEMENTARY INFORMATION:**

#### History

**Federal Register** Docket No. FAA-2010-1325, Airspace Docket No. 10-ASO-40, published in the **Federal Register** of July 25, 2011 (76 FR 44257), amends Class E airspace at Orangeburg Municipal Airport, Orangeburg, SC. A typographical error was made in the state abbreviation and geographic coordinates of the airport listed in the airspace description. This action corrects that error.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9U, dated August 18, 2010 and effective September 15, 2010, which is incorporated by reference in 14 CFR part 71.1.

#### Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, in FR Doc. 2011-18173 published on July 25, 2011 (76 FR 44257) on page 44257, column 3, line 26, correct the airspace descriptor from “ASO GA E5 Orangeburg, SC [Amended]” to “ASO SC E5 Orangeburg, SC [Amended]”, and on page 44257, column 3, line 28, in the airspace description under Orangeburg Municipal Airport, SC, remove “lat. 33°27’39” N., long. 80°51’32” W.” and insert “lat. 33°27’25” N., long. 80°51’34” W.”

Issued in College Park, Georgia, on August 19, 2011.

**Mark D. Ward,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2011-23188 Filed 9-9-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Parts 740, 742 and 774

[Docket No. 110222155-1110-01]

RIN 0694-AF14

#### Implementation of a Decision Adopted Under the Australia Group (AG) Intersessional Silent Approval Procedures in 2010 and Related Editorial Amendments

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Industry and Security (BIS) publishes this final rule to amend the Export Administration Regulations (EAR) to implement a decision based on a proposal that was discussed at the 2010 Australia Group

(AG) Plenary and adopted under the AG intersessional silent approval procedures in November 2010.

Specifically, this rule amends the Commerce Control List (CCL) entry in the EAR that controls human and zoonotic pathogens and “toxins,” consistent with the intersessional changes to the AG’s “List of Biological Agents for Export Control.” First, this rule clarifies the scope of the AG-related controls in the EAR that apply to “South American haemorrhagic fever (Sabia, Flexal, Guanarito)” and “Pulmonary and renal syndrome-haemorrhagic fever viruses (Seoul, Dobrava, Puumala, Sin Nombre)” by revising the list of viruses in this CCL entry to remove these two fevers and replace them with ten viral causative agents for the fevers. These changes are intended to more clearly identify the causative agents that are of concern for purposes of the controls maintained by the AG. Second, this rule alphabetizes and renumbers the list of viruses in this CCL entry, consistent with the 2010 intersessional changes to the AG control list. Finally, this rule makes an editorial change to the CCL entry that controls human and zoonotic pathogens and “toxins.” To assist exporters to more easily identify the bacteria and “toxins” that are controlled under this CCL entry, this rule alphabetizes and renumbers the lists of bacteria and “toxins” in the entry.

**DATES:** This rule is effective September 12, 2011.

**ADDRESSES:** Send comments regarding this collection of information, including suggestions for reducing the burden, to Jasmeet Sehra, Office of Management and Budget (OMB), by e-mail to [Jasmeet\\_K\\_Sehra@omb.eop.gov](mailto:Jasmeet_K_Sehra@omb.eop.gov), or by fax to (202) 395-7285; and to the Regulatory Policy Division, Bureau of Industry and Security, Department of Commerce, 14th Street & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:**

Elizabeth Sangine, Director, Chemical and Biological Controls Division, Office of Nonproliferation and Treaty Compliance, Bureau of Industry and Security, Telephone: (202) 482-3343.

**SUPPLEMENTARY INFORMATION:**

#### Background

The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to implement a decision that was adopted under the Australia Group (AG) intersessional silent approval procedures in November 2010. The AG is a multilateral forum consisting of 40 participating countries that maintain