

*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, Public Law 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 amendment is understandable and minimally intrusive, if implemented as proposed.

**List of Subjects**

*12 CFR Part 741*

Credit unions, Reporting and recordkeeping requirements, Share insurance.

*12 CFR Part 748*

Credit unions, Reporting and recordkeeping requirements, Security measures.

*12 CFR Part 749*

Archives and records, Credit unions, Reporting and recordkeeping requirements.

By the National Credit Union Administration Board, on March 19, 2009.

**Mary F. Rupp,**

*Secretary of the Board.*

For the reasons stated above, NCUA proposes to amend 12 CFR parts 741, 748, and 749 as follows:

**PART 741—REQUIREMENTS FOR INSURANCE**

1. The authority for part 741 continues to read as follows:

**Authority:** 12 U.S.C. 1757, 1766(a), 1781–1790, and 1790d; 31 U.S.C. 3717.

2. Amend § 741.6 by removing paragraph (d) and revising paragraph (a) to read as follows:

**§ 741.6 Financial and statistical and other reports.**

(a) Upon written notice from the Board, Regional Director, or Director of the Office of Corporate Credit Unions, insured credit unions must file financial and other reports in accordance with the instructions in the notice. Credit unions with the capacity to do so must use NCUA's information management system to submit their data online. If a credit union is unable to use the information system, it must file written

reports in accordance with the instructions.

(1) *Credit Union Profile.* Insured credit unions must submit to NCUA a Credit Union Profile, NCUA Form 4501 or its equivalent, within 10 days after an election or appointment of senior management or volunteer officials or within 30 days of any change of the information in the profile.

(2) *Financial and statistical report.* Natural person credit unions must file a Call Report with NCUA quarterly in accordance with the instructions in the NCUA Form 5300. Corporate credit unions must file a Corporate Credit Union Call Report with NCUA monthly in accordance with the instructions in the NCUA Form 5310. Credit unions must submit a corrected Call Report upon notification or the discovery of a need for correction.

\* \* \* \* \*

**PART 748—SECURITY PROGRAM, REPORT OF SUSPECTED CRIMES, SUSPICIOUS TRANSACTIONS, CATASTROPHIC ACTS AND BANK SECRECY ACT COMPLIANCE**

3. The authority for part 748 continues to read as follows:

**Authority:** 12 U.S.C. 1766(a), 1786(q); 15 U.S.C. 6801 and 6805(b); 31 U.S.C. 5311 and 5318.

4. Amend § 748.1 by revising paragraph (a) to read as follows:

**§ 748.1 Filing of reports.**

(a) The president or managing official of each federally-insured credit union must certify compliance with the requirements of this Part in its Credit Union Profile annually. Credit unions that cannot update their profile online must certify compliance in writing in accordance with the instructions on NCUA Form 4501 or its equivalent. The credit union president or managing official must sign and date the written certification.

\* \* \* \* \*

**PART 749—RECORDS PRESERVATION PROGRAM AND APPENDICES—RECORD RETENTION GUIDELINES; CATASTROPHIC ACT PREPAREDNESS GUIDELINES**

5. The authority for part 749 continues to read as follows:

**Authority:** 12 U.S.C. 1766, 1783, and 1789; 15 U.S.C. 7001(d).

**Appendix A to Part 749 [Amended]**

6. Amend Appendix A to Part 749 by revising paragraph E.2.(b) to read as follows:

\* \* \* \* \*

E. \* \* \*

2. \* \* \*

(b) One copy of each financial report, NCUA Form 5300 or 5310, or their equivalent, and the Credit Union Profile report, NCUA Form 4501, or its equivalent as submitted to NCUA at the end of each quarter.

\* \* \* \* \*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA–2009–0262; Directorate Identifier 2008–NM–208–AD]

RIN 2120–AA64

**Airworthiness Directives; Airbus Model A330–201, –202, –203, –223, –243, –301, –302, –303, –321, –322, –323, –341, –342, and –343 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:

During receipt of spare parts at the final assembly line, it was discovered that lugs of the assembly nut \* \* \* had been inverted (wrong orientation of the braking pin) during manufacturing process at the supplier.

\* \* \* This lug inversion could give the illusion of correct torque whereas the affected parts are not properly connected.

Loose connection could lead to loss of the fire extinguishing system integrity and therefore inability to ensure the adequate agent concentration. In combination with an engine fire event, it could result in a temporary uncontrolled engine fire, which constitutes an unsafe condition.

\* \* \* \* \*

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 April 27, 2009.

**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 Airbus SAS—Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; fax +33 5 61 93 45 80, e-mail [airworthiness.A330-A340@airbus.com](mailto:airworthiness.A330-A340@airbus.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 or 425-227-1152.

#### 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-2009-0262; Directorate Identifier 2008-NM-208-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://](http://www.regulations.gov)

[www.regulations.gov](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 2008-0196, dated October 27, 2008 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

During receipt of spare parts at the final assembly line, it was discovered that lugs of the assembly nut, part number (P/N) A2621005000200, had been inverted (wrong orientation of the braking pin) during manufacturing process at the supplier.

The assembly nut P/N A2621005000200 is part of the engine fire-extinguishing piping assembly. It connects the extinguisher discharge head with the piping. The lugs function is to prevent the connection untwisting once it has been hand-tightened with the correct torque. This lug inversion could give the illusion of correct torque whereas the affected parts are not properly connected.

Loose connection could lead to loss of the fire extinguishing system integrity and therefore inability to ensure the adequate agent concentration. In combination with an engine fire event, it could result in a temporary uncontrolled engine fire, which constitutes an unsafe condition.

To restore connection integrity, this Airworthiness Directive (AD) requires a one-time general visual inspection of the affected nut assembly to detect and correct any wrong orientation of lugs.

The corrective actions include a temporary repair (restoration) and replacing the fire extinguisher bottle nut assembly with the braking pin in the inverted position, if necessary.

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

#### Relevant Service Information

Airbus has issued Mandatory Service Bulletin A330-26-3043, including Appendices 01, 2, and 3, dated October 7, 2008. 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.

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

We have reviewed the MCAI and related service information and, in general, agree with their 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 and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

#### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 4 products of U.S. registry. We also estimate that it would take about 9 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$2,880, or \$720 per product.

#### 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); 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.

We prepared a regulatory 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 AD:

**Airbus:** Docket No. FAA-2009-0262; Directorate Identifier 2008-NM-208-AD.

#### Comments Due Date

- (a) We must receive comments by April 27, 2009.

#### Affected ADs

- (b) None.

#### Applicability

(c) This AD applies to Airbus Model A330-201, -202, -203, -223, -243, -301, -302, -303, -321, -322, -323, -341, -342, and -343 airplanes, certificated in any category; having serial numbers 0845, 0850, 0851, 0852, 0853, 0854, 0855, 0857, 0858, 0859, 0860, 0861, 0862, 0863, 0865, 0866, 0867, 0868, 0869, 0871, 0873, 0875, 0876, 0877, 0879, 0881, 0882, 0883, 0884, 0885, 0887, 0888, 0889, 0890, 0892, 0893, 0895, 0896, 0898, 0899, 0900, 0901, 0903, 0904, 0905, 0906, 0907, 0908, 0909, 0911, 0913, 0914, 0915, 0916, 0918, 0919, 0920, 0922, 0923, and 0951.

#### Subject

(d) Air Transport Association (ATA) of America Code 26: Fire Protection.

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

During receipt of spare parts at the final assembly line, it was discovered that lugs of the assembly nut, part number (P/N) A2621005000200, had been inverted (wrong orientation of the braking pin) during manufacturing process at the supplier.

The assembly nut P/N A2621005000200 is part of the engine fire-extinguishing piping assembly. It connects the extinguisher discharge head with the piping. The lugs function is to prevent the connection untwisting once it has been hand-tightened with the correct torque. This lug inversion could give the illusion of correct torque whereas the affected parts are not properly connected.

Loose connection could lead to loss of the fire extinguishing system integrity and therefore inability to ensure the adequate agent concentration. In combination with an engine fire event, it could result in a temporary uncontrolled engine fire, which constitutes an unsafe condition.

To restore connection integrity, this Airworthiness Directive (AD) requires a one-time general visual inspection of the affected nut assembly to detect and correct any wrong orientation of lugs.

The corrective actions include a temporary repair (restoration) and replacing the fire extinguisher bottle nut assembly with the braking pin in the inverted position, if necessary.

#### Actions and Compliance

- (f) Unless already done, do the following actions:

(1) Within 900 flight hours after the effective date of this AD, perform a general visual inspection to detect any wrong orientation of the lugs of the fire extinguisher bottle nut assembly of both engines, and do all applicable corrective actions specified in paragraphs (f)(1)(i) and (f)(1)(ii) of this AD, in accordance with the Accomplishment Instructions of Airbus Mandatory Service Bulletin A330-26-3043, dated October 7, 2008.

(i) Before further flight, if the correct nut assembly is available, replace the fire extinguisher bottle nut assembly.

(ii) Before further flight, if the correct nut assembly is not available, do the temporary repair; and within 900 flight hours after doing the repair, replace the fire extinguisher bottle nut assembly with the correct one.

(2) Submit a report of the findings of the inspection required by paragraph (f)(1) of this AD using Appendix 01 of Airbus Mandatory Service Bulletin A330-26-3043, dated October 7, 2008, at the applicable time specified in paragraph (f)(2)(i) or (f)(2)(ii) of this AD. Send the report to Airbus Department SEEE6, Airbus Customer Services Directorate, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex France, ATTN: SDC32 Technical Data and Documentation Services; fax: 33 5 61 93 28 06; e-mail: [sb.reporting@airbus.com](mailto:sb.reporting@airbus.com).

(i) If the inspection was done on or after the effective date of this AD: Submit the report within 30 days after the inspection.

(ii) If the inspection was accomplished prior to the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

#### FAA AD Differences

**Note 1:** This AD differs from the MCAI and/or service information as follows: No differences.

#### Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM-116, 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: 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. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office.

(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.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(h) Refer to MCAI European Aviation Safety Agency (EASA) Airworthiness Directive 2008-0196, dated October 27, 2008; and Airbus Mandatory Service Bulletin A330-26-3043, including Appendices 01, 2, and 3, dated October 7, 2008, for related information.

Issued in Renton, Washington, on March 17, 2009.

**Ali Bahrami,**

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

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**BILLING CODE 4910-13-P**