

# Rules and Regulations

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

[NRC-2011-0221]

RIN 3150-AJ05

#### List of Approved Spent Fuel Storage Casks: HI-STORM 100, Revision 8

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC or the Commission) is confirming the effective date of May 2, 2012, for the direct final rule that was published in the **Federal Register** on February 17, 2012. This direct final rule amends the NRC's spent fuel storage regulations by revising the Holtec International HI-STORM 100 System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 8 to Certificate of Compliance (CoC) Number 1014.

**DATES:** The effective date for the direct final rule published February 17, 2012, at 77 FR 9515, is confirmed as May 2, 2012.

**ADDRESSES:** Please refer to Docket ID NRC-2011-0221 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and is publicly-available, using the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2011-0221. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access publicly-available documents online in the NRC

Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

#### FOR FURTHER INFORMATION CONTACT:

Gregory Trussell, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415-6445, email: [Gregory.Trussell@nrc.gov](mailto:Gregory.Trussell@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

On February 17, 2012 (77 FR 9515), the NRC published a direct final rule amending its regulations at Title 10 of the *Code of Federal Regulations* (10 CFR) 72.214, by revising the Holtec International HI-STORM 100 System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 8 to CoC Number 1014. In the direct final rule, the NRC stated that if no significant adverse comments were received, the direct final rule would become effective on May 2, 2012. The NRC did not receive any comments on the direct final rule. Therefore, this rule will become effective as scheduled.

Dated at Rockville, Maryland, this 19th day of April 2012.

For the Nuclear Regulatory Commission.

**Cindy Bladey,**

*Chief, Rules, Announcements, and Directives Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. 2012-9834 Filed 4-24-12; 8:45 am]

**BILLING CODE 7590-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2012-0010; Directorate Identifier 2012-NE-03-AD; Amendment 39-17035; AD 2012-08-18]

RIN 2120-AA64

#### Airworthiness Directives; Turbomeca S.A. Turboshift Engines

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all Turbomeca S.A. Arriel 2B and 2B1 turboshaft engines. This AD was prompted by the discovery of non-conformities of certain power turbine (PT) blade fir-tree roots. This AD requires removing the affected PT blades from service on or before reaching a new reduced life limit for those certain PT blades. We are issuing this AD to prevent PT blade rupture, which could result in an uncommanded in-flight engine shutdown, forced autorotation landing, or accident.

**DATES:** This AD is effective May 30, 2012.

**ADDRESSES:** For service information identified in this AD, contact Turbomeca, 40220 Tarnos, France; phone: 33 05 59 74 40 00; fax: 33 05 59 74 45 15. 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:** Rose Len, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781-238-7772; fax: 781-238-7199; email: [rose.len@faa.gov](mailto:rose.len@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 January 20, 2012 (77 FR 2930). That NPRM proposed to require removing the affected PT blades from service on or before reaching a new reduced life limit for those certain PT blades.

**Comments**

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (77 FR 2930, January 20, 2012).

**Clarification of Compliance Time**

Since we issued the proposed AD, we determined that we need to clarify the compliance time. The proposed AD stated 5,000 flight cycles. We changed the AD to state 5,000 flight cycles-since-new.

**Conclusion**

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

**Costs of Compliance**

Based on the service information, we estimate that this AD will affect about 150 engines installed on helicopters of U.S. registry. We also estimate that it will take about 4 work-hours per product to comply with this AD. The average labor rate is \$85 per work-hour. A prorated replacement M04 module will cost about \$20,000 per engine. Based on these figures, we estimate the cost of the AD on U.S. operators to be \$3,051,000.

**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):

**2012-08-18 Turbomeca S.A:** Amendment 39-17035; Docket No. FAA-2012-0010; Directorate Identifier 2012-NE-03-AD.

**(a) Effective Date**

This AD is effective May 30, 2012.

**(b) Affected ADs**

None.

**(c) Applicability**

This AD applies to Turbomeca S.A. Arriel 2B and 2B1 turboshaft engines with at least one installed power turbine (PT) blade part number (P/N) 2 292 81 A01 0, serial numbers (S/Ns) 102782 through 120230 inclusive, or, S/Ns 120293 through 120390 inclusive.

**(d) Reason**

This AD was prompted by the detection of geometric non-conformities on PT blade fir-tree roots. We are issuing this AD to prevent PT blade rupture, which could result in an uncommanded in-flight engine shutdown, forced autorotation landing, or accident.

**(e) Actions and Compliance**

Unless already done, do the following actions within 5,000 flight cycles-since-new (CSN) on the PT blades, or within one month after the effective date of this AD, whichever occurs later.

(1) Replace the PT blades with PT blades eligible for installation; or

(2) Replace the M04 module with an M04 module having PT blades eligible for installation; or

(3) Replace the PT wheel assembly with a PT wheel assembly having PT blades eligible for installation.

(4) Guidance on the replacements specified in paragraphs (e)(1) through (e)(3) can be found in Turbomeca S.A. Alert Mandatory Service Bulletin No. A292 72 2842, Version A, dated September 23, 2011.

**(f) Definition**

For the purposes of this AD, a PT blade eligible for installation is one not listed in paragraph (c) of this AD or, one listed in paragraph (c) of this AD with fewer than 5,000 flight CSN.

**(g) Installation Prohibition**

From the effective date of this AD:

(1) Do not install a PT blade as listed in paragraph (c) of this AD, that has 5,000 or more flight CSN, into any engine.

(2) Do not install any engine with a PT blade as listed in paragraph (c) of this AD, that has 5,000 or more flight CSN, onto a helicopter.

**(h) Alternative Methods of Compliance (AMOCs)**

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

**(i) Related Information**

(1) For more information about this AD, contact Rose Len, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781-238-7772; fax: 781-238-7199; email: [rose.len@faa.gov](mailto:rose.len@faa.gov).

(2) Refer to MCAI EASA Airworthiness Directive 2011-0218, dated November 10, 2011, and Turbomeca S.A. Alert Mandatory Service Bulletin No. A292 72 2842, Version A, dated September 23, 2011, for related information.

(3) For service information identified in this AD, contact Turbomeca, 40220 Tarnos, France; phone: 33 05 59 74 40 00; fax: 33 05

59 74 45 15. 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.

**(j) Material Incorporated by Reference**

None.

Issued in Burlington, Massachusetts, on April 17, 2012.

**Peter A. White,**

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

[FR Doc. 2012-9789 Filed 4-24-12; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### 15 CFR Part 744

[Docket No. 120416415-2415-01]

RIN 0694-AF57

#### Addition of Certain Persons to the Entity List; and Implementation of Entity List Annual Review Changes

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

**ACTION:** Final rule.

**SUMMARY:** This rule amends the Export Administration Regulations (EAR) by adding to the Entity List two persons who have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States. These persons will be listed on the Entity List under the country of France.

This rule also amends the Entity List on the basis of the annual review of the Entity List conducted by the End-User Review Committee (ERC). The ERC conducts the annual review to determine if any entries on the Entity List should be removed or modified. This rule reflects the results of the ERC's annual review of fifteen countries, *i.e.* Armenia, Belarus, Egypt, Germany, Iran, Ireland, Israel, Kuwait, Lebanon, Norway, Russia, South Korea, Syria, the United Arab Emirates (U.A.E.), and the United Kingdom (U.K.). As a result of these reviews, this rule makes amendments to the Entity List including: The removal of three entries (one each in Germany, South Korea, and the United Arab Emirates (U.A.E.)); the addition of four entities (one each in Canada, Egypt, France and the United Kingdom); and the amendments of seventeen entries to provide alternate addresses, alternate spellings of names, and/or aliases for listed persons. The amended entries are in Armenia,

Germany, Iran, Lebanon, Syria, and the U.A.E. sections of the Entity List.

The Entity List provides notice to the public that certain exports, reexports, and transfers (in-country) to entities identified on the Entity List require a license from the Bureau of Industry and Security (BIS) and that availability of license exceptions in such transactions is limited.

**DATES:** *Effective Date:* This rule is effective April 25, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Karen Nies-Vogel, Chair, End-User Review Committee, Office of the Assistant Secretary, Export Administration, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482-5991, Fax: (202) 482-3911, Email: [ERC@bis.doc.gov](mailto:ERC@bis.doc.gov).

**SUPPLEMENTARY INFORMATION:**

#### Background

The Entity List (Supplement No. 4 to Part 744) provides notice to the public that certain exports, reexports, and transfers (in-country) to entities identified on the Entity List require a license from the Bureau of Industry and Security and that the availability of license exceptions in such transactions is limited. Entities are placed on the Entity List on the basis of certain sections of part 744 (Control Policy: End-User and End-Use Based) of the EAR.

The ERC, composed of representatives of the Departments of Commerce (Chair), State, Defense, Energy and, when appropriate, the Treasury, makes all decisions regarding additions to, removals from, or other modifications to the Entity List. The ERC makes all decisions to add an entry to the Entity List by majority vote and all decisions to remove or modify an entry by unanimous vote.

#### ERC Entity List Decisions

##### *Additions to the Entity List*

This rule implements the decision of the ERC to add two persons, located in France, to the Entity List on the basis of Section 744.11 (license requirements that apply to entities acting contrary to the national security or foreign policy interests of the United States) of the EAR. The ERC reviewed Section 744.11(b) (Criteria for revising the Entity List) in making the determination to add the two persons located in France to the Entity List. Under that paragraph, persons for which there is reasonable cause to believe, based on specific and articulable facts, that the persons have been involved, are involved, or pose a significant risk of being or becoming involved in, activities that are contrary

to the national security or foreign policy interests of the United States and those acting on behalf of such persons may be added to the Entity List pursuant to Section 744.11. Paragraphs (b)(1)–(b)(5) of Section 744.11 include an illustrative list of activities that could be contrary to the national security or foreign policy interests of the United States.

The ERC has reasonable cause to believe that the two persons in France (one company and one individual, an employee of the company) have been involved, are involved, or pose a significant risk of being or becoming involved in, activities that could be contrary to the national security or foreign policy interests of the United States. Specifically, BIS's investigation of the company, Toulouse Air Spares SAS, indicates direct physical and corporate nexus with Aerotechnic France SAS, an Entity List person (76 FR 37632, 6/28/2011). Therefore, pursuant to Section 744.11(b)(5) of the EAR, the ERC determined that the company Toulouse Air Spares SAS and Laurence Mattiucci, the company's president, are engaging in conduct that poses a risk of violating the EAR and that such conduct raises sufficient concern that prior review of exports, reexports or transfers (in-country) of items subject to the EAR involving either of the two persons, and the possible imposition of license conditions or license denials, will enhance BIS's ability to prevent violations of the EAR.

For both of the persons added to the Entity List, the ERC specified a license requirement for all items subject to the EAR and established a license application review policy of a presumption of denial. The license requirement applies to any transaction in which items are to be exported, reexported, or transferred (in-country) to such persons or in which such persons act as purchaser, intermediate consignee, ultimate consignee, or end-user. In addition, no license exceptions are available for exports, reexports, or transfers (in-country) to those persons being added to the Entity List.

This final rule adds the following two persons to the Entity List:

#### France

(1) *Toulouse Air Spares SAS*, 8 Rue de la Bruyere, 31120 Pinsaguel, Toulouse, France; and

(2) *Laurence Mattiucci*, 8 Rue de la Bruyere, 31120 Pinsaguel, Toulouse, France.

#### *Annual Review of the Entity List*

This rule also amends the Entity List on the basis of the annual review of the