

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 have 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 that the 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, 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.

### 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 removing airworthiness directive (AD) 2000-04-14, Amendment 39-11597 (65 FR 10698, February 29, 2000), and adding the following new AD:

**General Electric Company:** Docket No. FAA-2012-0817; Directorate Identifier 99-NE-24-AD.

#### (a) Comments Due Date

The FAA must receive comments on this AD action by October 12, 2012.

#### (b) Affected ADs

This AD supersedes AD 2000-04-14, Amendment 39-11597 (65 FR 10698, February 29, 2000).

#### (c) Applicability

This AD applies to all General Electric Company (GE) CF6-80C2 A1/A2/A3/A5/A8/A5F/B1/B2/B4/B6/B1F/B2F/B4F/B6F/B7F/D1F turbofan engines with fuel tubes, part number (P/N) 1321M42G01, 1334M88G01, 1374M30G01 or 1383M12G01, or supporting bracket, P/N 1321M88P001A, installed.

#### (d) Unsafe Condition

This AD was prompted by several reports of fuel leaks and two reports of fire due to mis-assembled supporting brackets on the fuel tube connecting the fuel flowmeter to the Integrated Drive Generator (IDG) fuel-oil cooler. We are issuing this AD to prevent high-pressure fuel leaks caused by improper seating of fuel tube flanges, which could result in an engine fire and damage to the airplane.

#### (e) Compliance

Unless already done, do the following.

#### (f) Replacement

After the effective date of this AD, if the fuel tubes are disconnected for any reason, or at the next engine shop visit, whichever occurs first, replace the fuel tubes and brackets with improved tubes and brackets eligible for installation. Do the following:

- (1) Replace the fuel flowmeter to IDG fuel-oil cooler fuel tube, P/N 1321M42G01, with a part eligible for installation.
- (2) For engines with Power Management Controls, replace the Main Engine Control (MEC) to fuel flowmeter fuel tube, P/N 1334M88G01, and bolts, P/N MS9557-12, with a part eligible for installation.
- (3) For engines with Full Authority Digital Electronic Controls, replace the Hydromechanical Unit (HMU) to fuel flowmeter fuel tubes, P/Ns 1383M12G01 and 1374M30G01, with a part eligible for installation.
- (4) Replace supporting bracket, P/N 1321M88P001A, and spray shields, P/Ns 1606M57G01 and 1775M61G01, with one-piece supporting bracket, P/N 2021M83G01.
- (5) Perform an idle leak check after accomplishing paragraphs (f)(1), (f)(2), (f)(3) or (f)(4), or any combination thereof.

#### (g) Definition

For the purpose of this AD, an engine shop visit is defined as the induction of an engine into the shop for any reason.

#### (h) Prohibition

After the effective date of this AD, do not install any of the following parts into any GE CF6-80C2 series turbofan engines: P/Ns 1321M42G01, 1321M88P001A, 1334M88G01, 1374M30G01, 1383M12G01, 1606M57G01, 1775M61G01, and MS9557-12.

#### (i) 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.

#### (j) Related Information

For more information about this AD, contact Jason Yang, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781-238-7747; fax: 781-238-7199; email: [jason.yang@faa.gov](mailto:jason.yang@faa.gov).

Issued in Burlington, Massachusetts, on July 31, 2012.

#### Diane Cook,

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

[FR Doc. 2012-19824 Filed 8-10-12; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 51

[REG-112805-10]

RIN 1545-BJ39

#### Branded Prescription Drug Fee; Correction

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

**ACTION:** Notice of public hearing on notice of proposed rulemaking by cross-reference to temporary regulations; correction.

**SUMMARY:** This document corrects a notice of public hearing on proposed rulemaking by cross-reference to temporary regulations (REG-112805-10) that was published in the **Federal Register** on Monday, August 6, 2012 (77 FR 46653) relating to the branded prescription drug fee imposed by the Affordable Care Act.

**FOR FURTHER INFORMATION CONTACT:** Concerning the proposed regulations, Celia Gabrysh (202) 622-3130, and regarding the submission of public comments and the public hearing, Ms. Oluwafunmilayo (Funmi) Taylor, at (202) 622-7180 (not toll-free numbers).

#### SUPPLEMENTARY INFORMATION:

#### Background

The notice of public hearing on a notice of proposed rulemaking by cross-reference to temporary regulations (REG-112805-10) that is the subject of this correction is under section 9008 of the Patient Protection and Affordable Care Act (ACA), Public Law 111-148 (124 Stat. 119 (2010)), as amended by

section 1404 of the Health Care and Education Reconciliation Act of 2010 (HCERA), Public Law 111–152 (124 Stat. 1029 (2010)).

#### Need for Correction

As published, REG–112805–10, 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 public hearing on notice of proposed rulemaking by cross-reference to temporary regulations (REG–112805–10) which was the subject of FR Doc. 2012–19074, is corrected as follows:

On page 46653, column 2, in the preamble, under the caption **ADDRESSES**, line five, the language “DC 20224. Send Submissions to” is corrected to read “DC 20224. Due to building security procedures, visitors must enter at the Constitution Avenue entrance. In addition, all visitors must present photo identification to enter the building. Send submissions to”.

#### LaNita Van Dyke,

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

[FR Doc. 2012–19730 Filed 8–10–12; 8:45 am]

**BILLING CODE 4830–01–P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### 49 CFR Parts 190, 192, 193, 195, and 199

[Docket No. PHMSA–2012–0102]

RIN 2137–AE29

#### Pipeline Safety: Administrative Procedures; Updates and Technical Corrections

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This Notice of Proposed Rulemaking updates the administrative civil penalty maximums for violation of the pipeline safety regulations to conform to current law, updates the informal hearing and adjudication process for pipeline enforcement matters to conform to current law, amends other administrative procedures used by PHMSA personnel, and makes other technical corrections and updates to certain administrative procedures. The proposed amendments do not

impose any new operating, maintenance, or other substantive requirements on pipeline owners or operators.

**DATES:** Persons interested in submitting written comments on the rule amendments proposed in this document must do so by September 12, 2012. PHMSA will consider comments filed after this date so far as practicable.

**ADDRESSES:** Comments should reference Docket No. PHMSA–2012–0102 and may be submitted in the following ways:

- *Web Site:* <http://www.regulations.gov>.

This site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the online instructions for submitting comments.

- *Fax:* 1–202–493–2251.

- *Mail:* U.S. Department of Transportation (DOT) Docket Operations Facility (M–30), West Building, 1200 New Jersey Avenue SE., Washington, DC 20590.

- *Hand Delivery:* DOT Docket Operations Facility, West Building, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, 20590 between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays

*Instructions:* Identify the docket number, PHMSA–2012–0102, at the beginning of your comments. If you mail your comments, submit two copies. In order to confirm receipt of your comments, include a self-addressed, stamped postcard.

**Note:** All comments are posted electronically in their original form, without changes or edits, including any personal information.

#### Privacy Act Statement

Anyone can search the electronic comments associated with any docket by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). DOT’s complete Privacy Act Statement was published in the **Federal Register** on April 11, 2000, (65 FR 19477).

#### FOR FURTHER INFORMATION CONTACT:

James Pates, PHMSA, Office of Chief Counsel, 202–366–0331, [james.pates@dot.gov](mailto:james.pates@dot.gov); Kristin T.L. Baldwin, Office of Chief Counsel, 202–366–6139, [kristin.baldwin@dot.gov](mailto:kristin.baldwin@dot.gov); or Larry White, PHMSA, Office of Chief Counsel, 202–366–9093, [lawrence.white@dot.gov](mailto:lawrence.white@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Purpose and Scope

Effective January 3, 2012, the Pipeline Safety, Regulatory Certainty, and Job

Creation Act of 2011 (Pub. L. 112–90) (the Act) increased the maximum administrative civil penalties for violation of the pipeline safety laws and regulations to \$200,000 per violation per day of violation, with a maximum of \$2,000,000 for a related series of violations. The Act also imposed certain requirements for the conduct of informal administrative enforcement hearings including, among other things: convening hearings before a presiding official, an attorney on the staff of the Deputy Chief Counsel; providing an opportunity for a respondent to arrange for a hearing transcript; ensuring a separation of functions between agency employees involved with the investigation or prosecution of an enforcement case and those involved in deciding the case; and prohibiting ex parte communications. The Act also provided PHMSA with new enforcement authority for oil spill response plan compliance under section 4202 of the Oil Pollution Act of 1990 (33 U.S.C. 1321(j)).

In accordance with the Act, PHMSA proposes to: update the administrative civil penalty maximums and the informal hearing process for pipeline enforcement matters to conform to current law and to amend other administrative procedures used by PHMSA personnel; amend the criminal enforcement provisions to conform to current law and practice; make corrections to the special permit provisions in the procedures for adoption of rules; implement the new enforcement authority for Part 194 oil spill response plans; and make certain technical amendments and corrections. The proposed amendments do not impose any new operating, maintenance, or other substantive requirements on pipeline owners or operators.

##### II. Proposed Amendments to Part 190

###### A. Administrative Civil Penalties and the Informal Hearing and Enforcement Process

*Maximum administrative civil penalties.* Section 2 of the Pipeline Safety Act of 2011 increased the maximum administrative civil penalties for violation of the pipeline safety laws and regulations to \$200,000 per violation per day, with a maximum of \$2,000,000 for a related series of violations. PHMSA proposes to amend 49 CFR 190.223 to reflect this increase. PHMSA proposes to apply the new administrative civil penalty maximums in cases involving violations that occur or are discovered after January 3, 2012. The proposed amendment also removes