

that the Supplemental Information section for § 35.12(d)(1) considers to be all the information NRC needs to approve a § 35.1000 medical use.

(Reviewed with the ACMUI during its March 1–2, 2004 meeting.)

During the two-day workshops, the NRC will be available to discuss preliminary draft rule language under consideration for new and amended sections of 10 CFR part 35. The preliminary draft rule language, and any public comments on that language, can be found at <http://www.regulations.gov> by searching on Docket ID NRC–2008–0175.

Dated at Rockville, Maryland, this 5th day of May 2011.

For the Nuclear Regulatory Commission.  
**Michael Fuller,**

*Acting Branch Chief, Radioactive Materials Safety Branch, Division of Materials Safety and State Agreements, Office of Federal and State Materials and Environmental Management Program.*

[FR Doc. 2011–12048 Filed 5–19–11; 8:45 am]

**BILLING CODE 7590–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2009–0218; Directorate Identifier 2009–CE–006–AD]

RIN 2120–AA64

#### **Airworthiness Directives; Piper Aircraft, Inc. PA–23, PA–31, and PA–42 Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to revise an existing airworthiness directive (AD) that applies to Piper Aircraft, Inc. PA–23, PA–31, and PA–42 airplanes. The existing AD currently establishes life limits for safety-critical nose baggage door components. That AD also requires you to replace those safety-critical nose baggage door components and repetitively inspect and lubricate the nose baggage door latching mechanism and lock assembly. Since we issued that AD, through further investigation and a request for an alternative method of compliance (AMOC), we determined the nose baggage door compartment light does not impact the unsafe condition addressed by the AD. This proposed AD would remove the requirement for the nose baggage door compartment interior light inspection and retain the other

requirements from AD 2009–13–06, Amendment 39–15944 (74 FR 29118). The door opening in flight could significantly affect the handling and performance of the aircraft. It could also allow baggage to be ejected from the nose baggage compartment and strike the propeller. This failure could lead to loss of control.

**DATES:** We must receive comments on this proposed AD by July 5, 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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this AD, contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960; telephone: (772) 567–4361; fax: (772) 978–6573; Internet: <http://www.newpiper.com/company/publications.asp>. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

#### **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 proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Gregory K. Noles, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, 1701 Columbia Avenue, College Park, Georgia 30337; telephone: (404) 474–5551; fax: (404) 474–5606.

#### **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–2009–0218; Directorate Identifier 2009–CE–006–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 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 proposed AD.

#### **Discussion**

On June 12, 2009, we issued AD 2009–13–06, Amendment 39–15944 (74 FR 29118), for certain Piper Aircraft, Inc. PA–23, PA–31, and PA–42 airplanes. That AD established life limits for safety-critical nose baggage door components. That AD also required replacement of those safety-critical nose baggage door components and repetitive inspections and lubrications of the nose baggage door latching mechanism and lock assembly. That AD resulted from several incidents and accidents, including fatal accidents, where the nose baggage door opening in flight was listed as a causal factor. We issued that AD to detect and correct damaged, worn, corroded, or non-conforming nose baggage door components, which could result in the nose baggage door opening in flight. The door opening in flight could significantly affect the handling and performance of the aircraft. It could also allow baggage to be ejected from the nose baggage compartment and strike the propeller. This failure could lead to loss of control.

#### **Actions Since Existing AD Was Issued**

Since we issued AD 2009–13–06, through further investigation and a request for a AMOC, we determined that requiring the inspection of the nose baggage door compartment light does not impact the unsafe condition addressed by the AD.

#### **Relevant Service Information**

We reviewed Piper Aircraft, Inc. Mandatory Service Bulletin No. 1194A, dated November 10, 2008. The service bulletin establishes life limits for safety-critical nose baggage door components, provides instructions on inspection and replacement of nose baggage door components, and provides instructions for lubrication of the nose baggage door latching mechanism and lock assembly.

**FAA's Determination**

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

**Proposed AD Requirements**

This proposed AD would retain certain requirements of AD 2009-13-06. This proposed AD would remove the requirement for the nose baggage door compartment interior light inspection

and retain the requirements to established life limits for safety-critical nose baggage door components, detect and correct damaged, worn, corroded, or non-conforming nose baggage door components, and repetitive inspections and lubrications of the nose baggage door latching mechanism and lock assembly.

**Differences Between the Proposed AD and the Service Information**

This proposed AD would remove the requirement for the nose baggage door

compartment light inspection referenced in the last sentence of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1194A, dated November 10, 2008, Part 1, Step 1.

**Costs of Compliance**

We estimate that this proposed AD affects 8,000 airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

**ESTIMATED COSTS**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection and parts replacement of nose baggage door.	4 work-hours × \$85 per hour = \$340 .....	\$190	\$530	\$4,240,000

The new requirements of this proposed AD add no additional economic burden. The increased estimated cost of this AD is due to increased labor cost from 2009 when AD 2009-13-06 was issued.

**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 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, 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) 2009-13-06, Amendment 39-15944 (74 FR 29118), and adding the following new AD:

**Piper Aircraft, Inc.:** Docket No. FAA-2009-0218; Directorate Identifier 2009-CE-006-AD.

**Comments Due Date**

(a) The FAA must receive comments on this AD action by July 5, 2011.

**Affected ADs**

(b) This AD revises AD 2009-13-06, Amendment 39-15944.

**Applicability**

(c) This AD applies to Models PA-23, PA-23-160, PA-23-235, PA-23-250, PA-23-250 (Navy UO-1), PA-E23-250, PA-31, PA-31-300, PA-31-325, PA-31-350, PA-31P, PA-31P-350, PA-31T, PA-31T1, PA-31T2, PA-31T3, PA-42, PA-42-720, and PA-42-1000 airplanes, all serial numbers, that are:

- (1) Certificated in any category; and
- (2) Equipped with a baggage door in the fuselage nose section (a nose baggage door).

**Subject**

(d) Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code, 52, Doors.

**Unsafe Condition**

(e) This AD was prompted by several incidents and accidents, including fatal accidents, where the nose baggage door opening in flight was listed as a causal factor. We are issuing this AD to establish life limits for safety-critical nose baggage door components, replace those safety-critical nose baggage door components, and repetitively inspect and lubricate the nose baggage door latching mechanism and lock assembly. The door opening in flight could significantly affect the handling and performance of the aircraft. It could also allow baggage to be ejected from the nose baggage compartment and strike the propeller. This failure could lead to loss of control.

**Compliance**

(f) Comply with this AD within the compliance times specified, unless already done.

Actions	Compliance	Procedures
<p>(1) For all aircraft:</p> <ul style="list-style-type: none"> <li>(i) Inspect the nose baggage door assembly for damaged, worn, corroded, or non-conforming components;</li> <li>(ii) Replace life-limited components specified in the service information; and</li> <li>(iii) Install or inspect, as applicable, the nose baggage placard following the service information.</li> </ul>	<p>Initially within 1,000 hours time-in-service (TIS) since all life-limited components were installed new following Piper Aircraft, Inc. Mandatory Service Bulletin No. 1194A, dated November 10, 2008, or within the next 100 hours TIS after July 24, 2009 (the effective date retained from AD 2009-13-06), whichever occurs later. Repetitively thereafter at intervals not to exceed 1,000 hours TIS.</p>	<p>Follow INSTRUCTIONS: PART I of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1194A, dated November 10, 2008. As an alternative to using part number 100700-079 placard, you may fabricate a placard (using at least 1/8-inch letters) with the words in figure 1 of this AD and install the placard directly above the nose baggage door handle. This AD does not require verification of proper functioning of the nose baggage compartment interior light as stated in the last sentence of PART 1, paragraph 1, of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1194A, dated November 10, 2008.</p>
<p>(2) For all aircraft:</p> <ul style="list-style-type: none"> <li>(i) Lubricate and inspect all nose baggage door latching and locking components for damaged, worn, corroded, or non-conforming components; and</li> <li>(ii) Verify the key can only be removed from the lock assembly in the locked position in accordance with the service instructions.</li> </ul>	<p>Initially within 100 hours TIS after July 24, 2009 (the effective date retained from AD 2009-13-06); and Repetitively thereafter at intervals not to exceed 100 hours TIS.</p>	<p>Follow INSTRUCTIONS: PART II of Piper Aircraft, Inc. Mandatory Service Bulletin No. 1194A, dated November 10, 2008.</p>
<p>(3) For all aircraft with damaged, worn, corroded, or non-conforming components: repair/replace any damaged, worn, corroded, or non-conforming components.</p>	<p>Before further flight after any inspection required in paragraphs (f)(1) and (f)(2) of this AD where any evidence of damaged, worn, corroded or non-conforming components was found.</p>	<p>Follow Piper Aircraft, Inc. Mandatory Service Bulletin No. 1194A, dated November 10, 2008.</p>

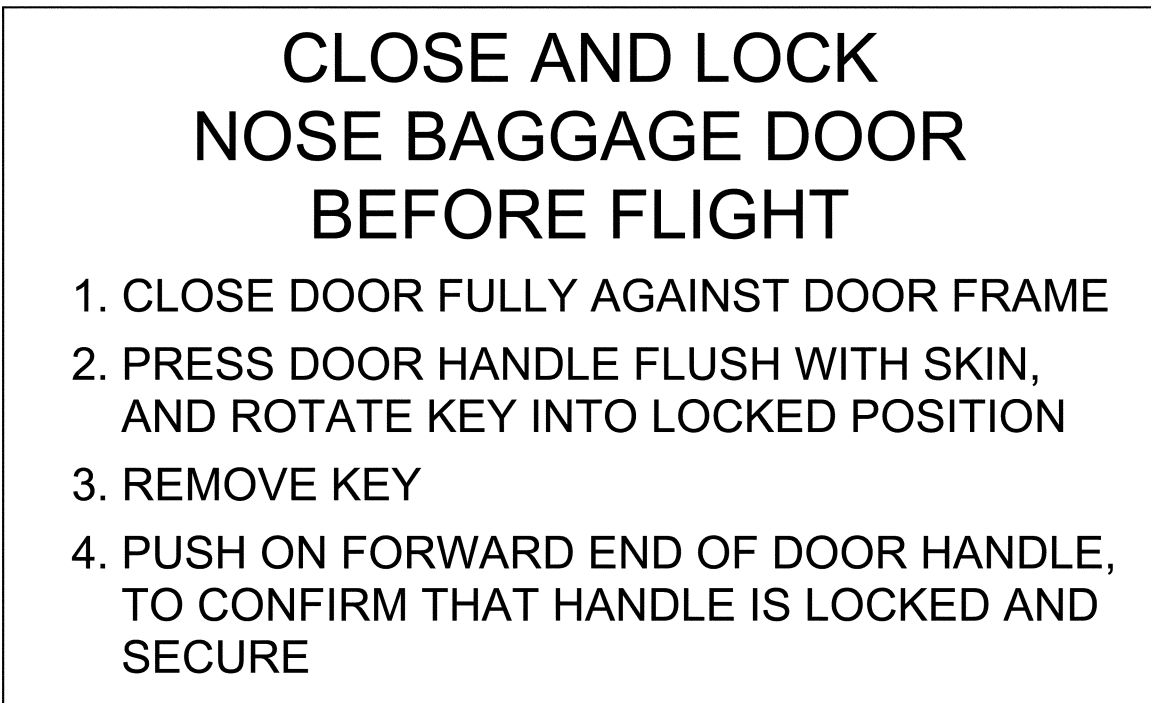


Figure 1. – Nose Baggage Door Placard.

**Alternative Methods of Compliance (AMOCs)**

(g)(1) The Manager, Atlanta Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector

or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager

of the local flight standards district office/certificate holding district office.

(3) AMOCs approved for AD 2009-13-06 are approved as AMOCs for this AD.

**Related Information**

(h) For more information about this AD, contact Gregory K. Noles, Aerospace Engineer, FAA, Atlanta ACO, 1701 Columbia

Avenue, College Park, Georgia 30337; telephone: (404) 474-5551; fax: (404) 474-5606.

(i) For service information identified in this AD, contact Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960; telephone: (772) 567-4361; fax: (772) 978-6573; Internet: <http://www.newpiper.com/company/publications.asp>. You may review copies of the referenced service information at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-3768.

Issued in Kansas City, Missouri, on May 13, 2011.

**Earl Lawrence,**

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

[FR Doc. 2011-12463 Filed 5-19-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2011-0359; Airspace Docket No. 11-AWP-1]

#### Proposed Modification of Class D and E Airspace; Fort Huachuca, AZ

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to modify Class D and Class E airspace at Fort Huachuca, AZ, to accommodate aircraft departing and arriving under Instrument Flight Rules (IFR) at Fort Huachuca, Sierra Vista Municipal Airport-Libby Army Airfield. This action, initiated by the biennial review of the Fort Huachuca airspace area, would enhance the safety and management of aircraft operations at the airport. This action would also update the airport name.

**DATES:** Comments must be received on or before July 5, 2011.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590; telephone (202) 366-9826. You must identify FAA Docket No. FAA-2011-0359; Airspace Docket No. 11-AWP-1, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Rick Roberts, Federal Aviation Administration, Operations Support

Group, Western Service Center, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4517.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2011-0359 and Airspace Docket No. 11-AWP-1) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2011-0359 and Airspace Docket No. 11-AWP-1." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9 a.m. and

5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 1601 Lind Avenue, SW., Renton, WA 98057.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

##### The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 by modifying Class D airspace, and Class E airspace designated as an extension to Class D surface area, and airspace extending upward from 700 feet above the surface, at Fort Huachuca, AZ. This action was initiated by the FAA's biennial review of the airspace, in which they found additional controlled airspace necessary for the safety and management of aircraft departing and arriving under IFR operations at Fort Huachuca, Sierra Vista Municipal Airport-Libby Army Airfield. This action would also update the geographic coordinates and the airport name from Fort Huachuca, Libby AAF/Sierra Vista Municipal Airport, to Fort Huachuca, Sierra Vista Municipal Airport-Libby Army Airfield.

Class D airspace and Class E airspace designations are published in paragraph 5000, 6004 and 6005, respectively, of FAA Order 7400.9U, dated August 18, 2010, and effective September 15, 2010, which is incorporated by reference in 14 CFR 71.1. The Class D airspace and Class E airspace designation listed in this document will be published subsequently in this Order.

The FAA has determined this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation; (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); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified this proposed rule, when promulgated, would not have a significant economic impact on a