

SUPPLEMENTARY INFORMATION: In the interim final rule (FR Doc. 2011–31723) appearing on page 78500 in the **Federal Register** of Monday, December 19, 2011, the following correction is made:

Supplement I to Part 1013 [Corrected]

■ 1. On page 78514, in the first column, after the sixth full paragraph, insert the following: “iii. From January 1, 2012 through December 31, 2012, the threshold amount is \$51,800.”

Heidi Cohen,

Senior Counsel for Regulatory Affairs,
Department of the Treasury.

[FR Doc. 2011–33354 Filed 12–28–11; 8:45 am]

BILLING CODE 4810-AM-P

**FEDERAL AVIATION
ADMINISTRATION**

14 CFR Part 23

**Airworthiness Standards: Normal,
Utility, Acrobatic, and Commuter
Category Airplanes**

CFR Correction

In Title 14 of the Code of Federal Regulations, Parts 1 to 59, revised as of January 1, 2011, on page 351, in Appendix C to Part 23, Note (4) to the table is corrected to read as follows:

**APPENDIX C TO PART 23—BASIC
LANDING CONDITIONS**

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■ Note (4). *L* is defined in § 23.725(b).

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[FR Doc. 2011–33531 Filed 12–28–11; 8:45 am]

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**FEDERAL AVIATION
ADMINISTRATION**

14 CFR Part 25

**Airworthiness Standards: Transport
Category Airplanes**

CFR Correction

In Title 14 of the Code of Federal Regulations, Parts 1 to 59, revised as of January 1, 2011, on page 413, in § 25.509, in paragraph (a)(3)(ii), the expression “(6W_T + 450,000)/7” is corrected to read “(6W_T + 450,000)/70”.

[FR Doc. 2011–33532 Filed 12–28–11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2011–1420; Directorate Identifier 2011–CE–035–AD; Amendment 39–16905; AD 2011–27–04]

RIN 2120-AA64

**Airworthiness Directives; Hawker
Beechcraft Corporation Airplanes
Equipped With a Certain Supplemental
Type Certificate (STC)**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Hawker Beechcraft Corporation Models 95–C55, D55, E55, 58, and 58A airplanes equipped with a certain STC. This AD requires assuring the airspeed indicator(s) and/or airspeed limitations placard(s) have the correct minimum control speed (V_{MC}) markings for the STCs installed. This AD was prompted by information that suggests the affected airplane models with a certain STC installed may not have the appropriate V_{MC} markings on the airspeed indicator(s). We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD is effective December 29, 2011.

We must receive comments on this AD by February 13, 2012.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, 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 W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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 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: Eric B. Potter, Aerospace Engineer, Atlanta Aircraft Certification Office, FAA, 1701 Columbia Avenue, College Park, Georgia 30337; phone: (404) 474–5583; fax: (404) 474–5606; email: eric.potter@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

On a Hawker Beechcraft Corporation Model 58 airplane, we found that STC SA1762SO (installation of vortex generators) and STC SA4016NM (Foxstar Baron modification that included installation of winglets and different engines and propellers) were installed. The airplane flight manual (AFM) supplements for both STCs contained different V_{MC} limitations. The airspeed indicator was marked in accordance with STC SA4016NM when it should have been marked with the higher V_{MC} specified for STC SA1762SO.

Other affected Hawker Beechcraft Corporation airplanes with STC SA1762SO installed may have other STCs or modifications installed that affect V_{MC}. Those modified airplanes may not have V_{MC} accurately marked on the airspeed indicator(s). Whenever an STC is installed, the relationship between the STC being installed and other STCs already installed on the airplane should be properly analyzed to assure there are no adverse effects on the airworthiness of the modified airplane.

The installation of multiple STCs affecting V_{MC} on the same airplane could result in conflicting operating limitations. The airspeed limitations placard(s) and the airspeed indicator(s) must be correctly marked with the highest V_{MC} limitation stated in the AFM, AFM supplements, and pilot operating handbooks (POHs), unless FAA-approved testing has been done to determine the correct V_{MC} and a new AFM supplement has replaced the conflicting supplements. Therefore, the V_{MC} limitation stated in the AFM, AFM supplements, and POHs must be reviewed for each airplane to assure the highest V_{MC} limitation is identified.

Hawker Beechcraft Corporation Models 95–C55, D55, E55, 58, and 58A airplanes may also have STC SA1762SO installed and be subject to this unsafe condition. This condition, if not

corrected, could result in sudden and unexpected loss of aircraft control during single engine operation.

FAA’s Determination

We are issuing 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.

The FAA is still evaluating the subject matter presented in this AD. While the unsafe condition identified in this AD is addressed on the airplanes affected by this AD, our evaluation may lead us to consider additional rulemaking on this subject on these and/or other aircraft.

AD Requirements

On all Hawker Beechcraft Corporation Models 95–C55, D55, E55, 58, and 58A airplanes equipped with STC SA1762SO, this AD requires inspecting all installed placards, POHs, and airplane flight manual supplements to identify other modifications that may affect V_{MC} and accurately marking the V_{MC} on the airspeed indicator(s) or

installing a placard(s) specifying the correct V_{MC}. This AD may also require establishing a new one-engine-inoperative speed (V_{SSE}) if the existing V_{SSE} is inaccurate.

FAA’s Justification and Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because incorrect V_{MC} markings on the airspeed indicator(s) could result in sudden and unexpected loss of aircraft control in the event of an actual engine failure or simulated engine failure during a training flight. Therefore, we find that notice and opportunity for prior public comment are impracticable and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an

opportunity for public comment. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number FAA–2011–1420 and Directorate Identifier 2011–CE–035–AD at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this 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 AD.

Costs of Compliance

We estimate that this AD affects 400 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection of AFM supplements for installation of other STCs that may affect V _{MC} .	1 work-hour × \$85 per hour = \$85	Not applicable	\$85	\$34,000

We estimate the following costs to do any necessary placards and/or airspeed indicator remarking that will be

required based on the results of the inspection. We have no way of

determining the number of aircraft that might need these actions:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Installation of placard(s) for appropriate V _{MC}	1 work-hour × \$85 per hour = \$85		\$95
Remarking of the airspeed indicator(s) and/or airspeed limitations placard(s).	\$2 work-hours × \$85 per hour = \$170	200	370

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):

2011–27–04 Hawker Beechcraft

Corporation: Amendment 39–16905; Docket No. FAA–2011–1420; Directorate Identifier 2011–CE–035–AD.

(a) Effective Date

This AD is effective December 29, 2011.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Hawker Beechcraft Corporation Models 95–C55, D55, E55, 58, and 58A airplanes, all serial numbers that are:

- (1) equipped with Supplemental Type Certificate (STC) SA1762SO; and
- (2) certificated in any category.

Note 1: STC SA1762SO is sometimes referred to as the “Foxstar modification.” This modification includes new Continental IO–550 engines, new Hartzell 4-bladed propellers, and the addition of winglets.

(d) Subject

Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 34; Airspeed Indicator.

(e) Unsafe Condition

This AD was prompted by information that suggests the affected airplane models with STC SA1762SO installed may not have the correct minimum control speed (V_{MC}) markings on the airspeed indicator(s). We are issuing this AD to correct the unsafe condition on these products.

(f) Compliance

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

(g) V_{MC} Markings

Within the next 10 hours time-in-service (TIS) after December 29, 2011 (the effective date of this AD) or within the next 30 days

after December 29, 2011 (the effective date of this AD), whichever occurs first, inspect all added placards, pilot operating handbooks (POHs), and airplane flight manual (AFM) supplements to identify modifications other than STC SA1762SO that state a V_{MC} limitation.

Note 2: The abbreviation V_{MC} for minimum control speed used in this AD may be identified in the AFM and AFM supplements as V_{MCA} .

(1) If no modifications that state a V_{MC} limitation are identified, other than STC SA1762SO, within the compliance time specified in paragraph (g) of this AD, inspect the V_{MC} marking on the airspeed indicator(s) and airspeed limitations placard(s) to assure they are marked accurately to match the V_{MC} specified in the AFM supplement associated with STC SA1762SO.

(i) If the V_{MC} marking on both the airspeed indicator(s) and the airspeed limitations placard(s) do match the V_{MC} specified in the AFM supplement associated with STC SA1762SO, paragraph (g)(1)(iii) is the only other action required by this AD.

(ii) If either the V_{MC} marking on the airspeed indicator(s) or the airspeed limitations placard(s) do not match the V_{MC} specified in the AFM supplement associated with STC SA1762SO, before further flight after the inspection required in paragraph (g)(1) of this AD, install a temporary placard(s) for the airspeed indicator(s) and/or install a temporary placard(s) over the V_{MC} marked on the airspeed limitations placard(s), as applicable.

(A) The V_{MC} as specified on both the airspeed indicator(s) or temporary placard(s) and the airspeed limitations placard(s) must match the V_{MC} specified in the AFM supplement associated with STC SA1762SO, following the instructions in paragraph (h) of this AD.

(B) Before further flight after the inspection required in paragraph (g)(1) of this AD, you may have the airspeed indicator(s) permanently remarked and/or permanently remark the airspeed limitations placard(s) as required in paragraph (i), Remark the Airspeed Indicator(s) and the Airspeed Limitations Placard(s), of this AD in lieu of installing the temporary placard(s) for the airspeed indicator(s) and/or installing the temporary placard(s) for the V_{MC} on the airspeed limitations placard(s).

(iii) If the AFM lists an intentional one-engine-inoperative speed (V_{SSE}), you must use the formula below in paragraph (g)(1)(iii)(A) of this AD and establish a new V_{SSE} , unless the existing V_{SSE} is equal to or greater than the V_{SSE} determined by the formula. If the AFM does not state a V_{SSE} , skip forward to the actions required in paragraph (h) of this AD, Temporary Airspeed Indicator(s) and Temporary Airspeed Limitations Placard(s) Installation.

(A) New $V_{SSE} = ((V_{SSE} \text{ from the AFM}) / (V_{MC} \text{ from the AFM})) \times (V_{MC} \text{ from the AFM supplement associated with STC SA1762SO})$.

(B) If necessary, insert the following language for the new V_{SSE} into the AFM in all areas that refer to V_{SSE} : “The revised V_{SSE} is _____ in accordance with AD 2011–27–04.”

(2) If modifications that state a V_{MC} limitation are identified, in addition to STC

SA1762SO, within the compliance time specified in paragraph (g) of this AD, inspect the V_{MC} marking on the airspeed indicator(s) and the airspeed limitations placard(s) to assure they match and are marked accurately with the highest V_{MC} specified in either the AFM or any placards and/or AFM supplements associated with any modifications that state a V_{MC} limitation.

(i) If the V_{MC} marking on the airspeed indicator(s) and the airspeed limitations placard(s) match and are marked with the highest V_{MC} specified in either the AFM or any placards and/or AFM supplements associated with any modifications that affect V_{MC} , skip forward to the actions required in paragraph (g)(2)(iii) of this AD.

(ii) If the V_{MC} marking on the airspeed indicator(s) and the airspeed limitations placard(s) do not match and/or are not marked with the highest V_{MC} specified in either the AFM or any placards and/or AFM supplements associated with any modifications that affect V_{MC} , before further flight after the inspection required in paragraph (g)(2), install a temporary placard(s) for the airspeed indicator(s) and/or install a temporary placard(s) over the V_{MC} marked on the airspeed limitations placard(s), as applicable.

(A) The V_{MC} on both the airspeed indicator(s) and the airspeed limitations placard(s) must match the highest V_{MC} specified in either the AFM or any placards and/or AFM supplements associated with any modifications that affect V_{MC} , following the instructions in paragraph (h) of this AD, Temporary Airspeed Indicator(s) and Temporary Airspeed Limitations Placard(s) Installation.

(B) Before further flight after the inspection required in paragraph (g)(2), you may have the airspeed indicator(s) permanently remarked and/or permanently remark the airspeed limitations placard(s) as required in paragraph (i), Remark the Airspeed Indicator(s) and the Airspeed Limitations Placard(s), of this AD in lieu of installing the temporary placard(s) for the airspeed indicator(s) and/or installing the temporary placard(s) for the V_{MC} on the airspeed limitations placard(s).

(iii) If the AFM or any of the AFM supplements that state a V_{MC} limitation also list a V_{SSE} , you must use the formula below in paragraph (g)(2)(iii)(A) of this AD and establish a new V_{SSE} , unless the existing V_{SSE} is equal to or greater than the V_{SSE} determined by the formula. If the AFM or any of the AFM supplements do not list a V_{SSE} , skip forward to the actions required in paragraph (h) of this AD, Temporary Airspeed Indicator(s) and Temporary Airspeed Limitations Placard(s) Installation.

(A) New $V_{SSE} = ((V_{SSE} \text{ from the AFM}) / (V_{MC} \text{ from the AFM})) \times (V_{MC} \text{ as determined by paragraph (g)(2) of this AD})$.

(B) If the V_{SSE} listed in the AFM or any AFM supplements that state a V_{MC} limitation is higher than the V_{SSE} determined by paragraph (g)(2)(iii)(A) of this AD above, then the highest of all these values shall be the new V_{SSE} .

(C) If necessary, insert the following language for the new V_{SSE} into the AFM in all areas that refer to V_{SSE} , including AFM

supplements: "The revised V_{SSE} is _____ in accordance with AD 2011-27-04."

(h) Temporary Airspeed Indicator(s) and Temporary Airspeed Limitations Placard(s) Installation

(1) If required by the actions in paragraph (g)(1)(ii) or (g)(2)(ii) of this AD, fabricate a temporary placard(s) (using at least 1/8-inch black letters on a white background) with the following words and install the placard(s) on the instrument panel in the nearest practical location to the airspeed indicator(s) within the pilot's clear view: " V_{MC} = _____." Insert in the blank space the V_{MC} as determined by the actions required in either paragraph (g)(1)(ii) or (g)(2)(ii) of this AD.

(2) If the V_{MC} on the existing airspeed limitations placard is different than determined in either paragraph (g)(1)(ii) or (g)(2)(ii) of this AD, fabricate a temporary placard(s) (using letter sizes similar to those on the existing airspeed limitations placard(s) with black letters on a white background) with the V_{MC} as determined by the actions required in either paragraph (g)(1)(ii) or (g)(2)(ii) of this AD and install the placard(s) over the V_{MC} listed on the existing airspeed limitations placard(s).

Note 3: You may use FAA Advisory Circular 43.13-2B for additional guidance on installing placards. You can find Advisory Circular 43.13-2B at http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgAdvisoryCircular.nsf.

(i) Remarking the Airspeed Indicator(s) and the Airspeed Limitations Placard(s)

(1) If during either of the inspections required in paragraphs (g)(1) or (g)(2) of this AD, the V_{MC} marking on the airspeed indicator(s) was not marked accurately and required immediate temporary corrective action (placard), within the next 12 months after December 29, 2011 (the effective date of this AD), permanently remark the airspeed indicator(s) with the correct V_{MC} marking. This instrument modification must be done by an appropriately rated repair facility.

(i) After the airspeed indicator(s) has been remarked, mark the airspeed indicator(s) instrument casing to clearly indicate that the markings comply with this AD stating "Modified in compliance with AD 2011-27-04, refer to AD 2011-27-04 for replacement part criteria."

(ii) Any replacement airspeed indicator must also meet the V_{MC} marking requirements in paragraphs (i)(1) and (i)(1)(i) of this AD.

(iii) After the V_{MC} has been remarked as required in this paragraph, you may remove the temporary placard(s) installed as required in paragraph (g)(1)(ii) and (g)(2)(ii) of this AD.

(iv) Instead of installing the temporary placard(s) after either of the inspections when it is determined the V_{MC} marking on the airspeed indicator(s) is not marked accurately, you may permanently remark the airspeed indicator(s) as required in paragraph (i), Remarking the Airspeed Indicator(s) and the Airspeed Limitations Placard(s), of this AD provided it is done before further flight.

(2) If during either of the inspections required in paragraphs (g)(1) or (g)(2) of this

AD, the V_{MC} marking on the airspeed limitations placard(s) was not marked accurately and required immediate temporary corrective action (placard), within the next 12 months after December 29, 2011 (the effective date of this AD), permanently remark or remake the airspeed limitations placard(s) with the correct V_{MC} marking.

(j) Alternative Methods of Compliance (AMOC)

(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.

(k) Related Information

For more information about this AD, contact Eric B. Potter, Aerospace Engineer, Atlanta ACO, FAA, 1701 Columbia Avenue, College Park, Georgia 30337; phone: (404) 474-5583; fax: (404) 474-5606; email: eric.potter@faa.gov.

Issued in Kansas City, Missouri, on December 21, 2011.

Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2011-33344 Filed 12-28-11; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 774

The Commerce Control List

CFR Correction

In Title 15 of the Code of Federal Regulations, Parts 300 to 799, revised as of Jan. 1, 2011, in Supplement No. 1 of Part 774, make the following corrections:

1. On page 847, in ECCN 9D004, remove the following paragraphs from the end of the entry:

■ 79. In Supplement No. 1 to Part 774 (the Commerce Control List), Category 9 Aerospace and Propulsion, Product Group E is amended by revising the Note located at the beginning to read as follows:

E. Technology

Note: "Development" or "production" "technology" controlled by 9E001 to 9E003 for gas turbine engines remains

controlled when used as "use" "technology" for repair, rebuild and overhaul. Excluded from 9E001 to 9E003 control are: technical data, drawings or documentation for maintenance activities directly associated with calibration, removal or replacement of damaged or unserviceable line replaceable units, including replacement of whole engines or engine modules.

2. On page 848, revise the note under the heading "E. Technology" to read as follows:

Note: "Development" or "production" "technology" controlled by 9E001 to 9E003 for gas turbine engines remains controlled when used as "use" "technology" for repair, rebuild and overhaul. Excluded from 9E001 to 9E003 control are: technical data, drawings or documentation for maintenance activities directly associated with calibration, removal or replacement of damaged or unserviceable line replaceable units, including replacement of whole engines or engine modules.

[FR Doc. 2011-33619 Filed 12-28-11; 8:45 am]

BILLING CODE 1505-01-D

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 230, 239, 270, and 275

[Release Nos. 33-9287; IA-3341; IC-29891; File No. S7-04-11]

RIN 3235-AK90

Net Worth Standard for Accredited Investors

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: We are adopting amendments to the accredited investor standards in our rules under the Securities Act of 1933 to implement the requirements of the Dodd-Frank Wall Street Reform and Consumer Protection Act. The Act requires the definitions of "accredited investor" in our Securities Act rules to exclude the value of a person's primary residence for purposes of determining whether the person qualifies as an "accredited investor" on the basis of having a net worth in excess of \$1 million. This change to the net worth standard was effective upon enactment by operation of the Dodd-Frank Act, but it also requires us to revise our current Securities Act rules to conform to the new standard. We also are adopting technical amendments to Form D and a number of our rules to conform them to