

Administrator (13 CFR 121.903). The Regulatory Flexibility Act authorizes an agency to establish an alternative small business definition after consultation with the Office of Advocacy of the U.S. Small Business Administration (5 U.S.C. 601(3)).

*5. What alternatives will allow the Agency to accomplish its regulatory objectives while minimizing the impact on small entities?*

By law, SBA is required to develop numerical size standards for establishing eligibility for Federal small business assistance programs. Other than varying size standards by industry and changing the size measures, no

practical alternative exists to the systems of numerical size standards.

**List of Subjects in 13 CFR Part 121**

Administrative practice and procedure, Government procurement, Government property, Grant programs—business, Individuals with disabilities, Loan programs—business, Reporting and recordkeeping requirements, Small businesses.

For the reasons set forth in the preamble, SBA proposes to amend part 13 CFR part 121 as follows:

**PART 121—SMALL BUSINESS SIZE REGULATIONS**

1. The authority citation for part 121 continues to read as follows:

**Authority:** 15 U.S.C. 632, 634(b)(6), 636(b), 662, and 694a(9).

2. In § 121.201, in the table, revise the entries for “711110”, “711120”, “711130”, “711190”, “711211”, “711212”, “711219”, “711310”, “711320”, “711410”, “712110”, “712130”, “713110”, “713210”, “713290”, “713910”, and “713920” to read as follows:

**§ 121.201 What size standards has SBA identified by North American Industry Classification System codes?**

\* \* \* \* \*

**Small Business Size Standards by NAICS Industry**

NAICS Codes	NAICS U.S. Industry title	Size standards in millions of dollars	Size standards in number of employees
* * * * *			
711110	Theater Companies and Dinner Theaters	\$19.0	
711120	Dance Companies	10.0	
711130	Musical Groups and Artists	10.0	
711190	Other Performing Arts Companies	25.5	
711211	Sports Teams and Clubs	35.5	
711212	Race Tracks	35.5	
711219	Other Spectator Sports	10.0	
711310	Promoters of Performing Arts, Sports and Similar Events with Facilities	30.0	
711320	Promoters of Performing Arts, Sports and Similar Events without Facilities	14.0	
711410	Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures	10.0	
* * * * *			
712110	Museums	25.5	
* * * * *			
712130	Zoos and Botanical Gardens	25.5	
* * * * *			
713110	Amusement and Theme Parks	35.5	
* * * * *			
713210	Casinos (except Casino Hotels)	25.5	
713290	Other Gambling Industries	30.0	
713910	Golf Courses and Country Clubs	14.0	
713920	Skiing Facilities	25.5	
* * * * *			

Dated: February 28, 2012.  
**Karen G. Mills,**  
*Administrator.*  
 [FR Doc. 2012-17442 Filed 7-17-12; 8:45 am]  
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**DEPARTMENT OF TRANSPORTATION  
 Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA-2012-0732; Directorate Identifier 2012-CE-022-AD]

**RIN 2120-AA64**

**Airworthiness Directives; PILATUS AIRCRAFT LTD. Airplanes**

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all PILATUS AIRCRAFT LTD. Models PC 12, PC 12/45, PC 12/47, and PC 12/47E airplanes that would supersede an existing AD. 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 a need to incorporate new

revisions into the Limitations section, Chapter 4, of the FAA-approved maintenance program (e.g., maintenance manual). The limitations were revised to include an inspection of the wing main spar fastener holes at rib 6 for cracks. We are issuing this proposed AD to require actions to address the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by September 4, 2012.

**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 W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact PILATUS AIRCRAFT LTD., Customer Service Manager, CH 6371 STANS, Switzerland; telephone: +41 (0)41 619 62 08; fax: +41 (0)41 619 73 11; Internet: [http://www.pilatus\\_aircraft.com](http://www.pilatus_aircraft.com) or email: [SupportPC12@pilatus\\_aircraft.com](mailto:SupportPC12@pilatus_aircraft.com). You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 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 (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329 4059; fax: (816) 329 4090; email: [doug.rudolph@faa.gov](mailto:doug.rudolph@faa.gov).

#### 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-2012-0732; Directorate Identifier 2012-CE-022-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 July 1, 2009, we issued AD 2009-14-13, Amendment 39-15963 (74 FR 34213, July 15, 2009). That AD required actions intended to address an unsafe condition on the products listed above.

Since we issued AD 2009-14-13, Amendment 39-15963 (74 FR 34213, July 15, 2009), Pilatus Aircraft Ltd. has issued revisions to the Limitations section of the airplane maintenance manual to include an inspection of the wing main spar fastener holes at rib 6 for cracks.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No. 2012-0099, dated June 8, 2012 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

The mandatory instructions and airworthiness limitations applicable to the Structure and Components of the PC-12 are specified in the Aircraft Maintenance Manual (AMM) under Chapter 4. Prompted by a crack found on one wing of the aeroplane fleet leader, a more restrictive airworthiness limitation was introduced, in that manual, for the inspection of the main spar rib 6 strap fastener.

These documents include the maintenance instructions and/or airworthiness limitations developed by Pilatus Aircraft Ltd. and approved by EASA. Failure to comply with these instructions and limitations could potentially lead to unsafe condition.

For the reasons described above, this AD requires the implementation of more restrictive maintenance instructions and/or airworthiness limitations. You

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

#### Relevant Service Information

Pilatus Aircraft Ltd. has issued Structural and Component Limitations—Airworthiness Limitations, document 12 B 04 00 00 00A 000A A, dated January 27, 2012; and Structural, Component and Miscellaneous—Airworthiness Limitations, document 12 A 04 00 00 00A 000A A, dated January 27, 2012. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### FAA’s Determination and Requirements of the 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 this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

#### Costs of Compliance

We estimate that this proposed AD would affect 678 products of U.S. registry. We also estimate that it would take about 3.5 work hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work hour. Required parts would cost about \$300 per product. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be \$405,105, or \$597.50 per product.

In addition, we estimate that any necessary follow on actions would take about 6 work hours and require parts costing \$4,000, for a cost of \$4,510 per product. We have no way of determining the number of products that may need these actions. We also estimate that it would take about 12 work hours per product to comply with the addition of the wing inspection requirements of this proposed AD. The average labor rate is \$85 per work hour.

Based on these figures, we estimate the cost of the proposed wing inspection on U.S. operators to be \$691,560, or \$1,020 per product.

In addition, we estimate that any necessary follow-on actions would take about 7 work-hours and require parts costing approximately \$5,000, for a cost of \$5,595 per product. We have no way of determining the number of products that may need these actions.

### 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),
- (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 Amendment 39–15963 (74 FR 34213, July 15, 2009), and adding the following new AD:

**PILATUS AIRCRAFT LTD.:** Docket No. FAA–2012–0732; Directorate Identifier 2012–CE–022–AD.

#### (a) Comments Due Date

We must receive comments by September 4, 2012.

#### (b) Affected ADs

This AD supersedes AD 2009–14–13, Amendment 39–15963 (74 FR 34213, July 15, 2009).

#### (c) Applicability

This AD applies to Pilatus Aircraft LTD. Models PC 12, PC 12/45, PC 12/47, and PC–12/47E airplanes, all manufacturer serial numbers (MSNs), certificated in any category.

#### (d) Subject

Air Transport Association of America (ATA) Code 05: Time Limits.

#### (e) Reason

This AD was prompted by 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 a need to incorporate new revisions into the Limitations section, Chapter 4, of the FAA-approved maintenance program (e.g., maintenance manual). The limitations were revised to include an inspection of the wing main spar fastener holes at rib 6 for cracks. These actions are required to ensure the continued operational safety of the affected airplanes.

#### (f) Actions and Compliance

Unless already done, do the following actions:

(1) For Models PC 12 and PC 12/45 airplanes, MSNs 101 through 299: Within the next 100 hours time in service (TIS) after August 19, 2009 (the effective date retained from AD 2009–14–13, Amendment 39–15963 (74 FR 34213, July 15, 2009)) or 1 year after August 19, 2009 (the effective date retained from AD 2009–14–13), whichever occurs first, replace the torque tube P/N 532.50.12.047 with torque tube P/N 532.50.12.064 following PILATUS AIRCRAFT LTD. Service Bulletin No: 32 021, dated November 21, 2008.

(2) For all airplanes: As of the effective date of this AD, do not install torque tube P/N 532.50.12.047.

(3) For all airplanes: Before further flight after the effective date of this AD, insert Structural, Component and Miscellaneous—Airworthiness Limitations, document 12 A 04 00 00 00A 000A A, dated January 27, 2012 (for Models PC 12, PC 12/45, PC 12/47), and Structural and Component Limitations—Airworthiness Limitations, document 12 B 04 00 00 00A 000A A, dated January 27, 2012 (for Model PC 12/47E), into the Limitations section of the FAA approved maintenance program (e.g., maintenance manual). The

limitations section revision does the following:

- (i) Establishes an inspection of the wing main spar fastener holes at rib 6,
- (ii) Specifies replacement of components before or upon reaching the applicable life limit, and
- (iii) Specifies accomplishment of all applicable maintenance tasks within certain thresholds and intervals.

(4) For all airplanes: If no compliance time is specified in the documents listed in paragraph (f)(3) of this AD when doing any corrective actions where discrepancies are found as required in paragraph (f)(3)(iii) of this AD, do these corrective actions before further flight after doing the applicable maintenance task.

(5) For all airplanes: During the accomplishment of the actions required in paragraphs (f)(3)(i), (f)(3)(ii), and (f)(3)(iii) of this AD, if a discrepancy is found that is not identified in the documents listed in paragraph (f)(3) of this AD, before further flight after finding the discrepancy, contact Pilatus Aircraft Ltd. at the address specified in paragraph (h) of this AD for a repair scheme and incorporate that repair scheme.

#### Note 1 to paragraph (f)(3) of this AD:

Structural, Component and Miscellaneous—Airworthiness Limitations, document 12 A 04 00 00 00A 000A A, dated January 27, 2012 (for Models PC 12, PC 12/45, PC 12/47) is part of Chapter 4 of the Airplane Maintenance Manual (AMM) report 02049, issue 25, dated January 25, 2012.

#### Note 2 to paragraph (f)(3) of this AD:

Structural and Component Limitations—Airworthiness Limitations, document 12 B 04 00 00 00A 000A A, dated January 27, 2012 (for Model PC 12/47E) is part of Chapter 4 of the AMM report 02300, issue 8, dated January 25, 2012.

#### (g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, 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: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329 4059; fax: (816) 329 4090; email: [doug.rudolph@faa.gov](mailto:doug.rudolph@faa.gov).

(i) Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(ii) AMOCs approved for AD 2009–14–13, Amendment 39–15963 (74 FR 34213, July 15, 2009) are not approved as AMOCs for this AD.

(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, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES-200.

#### (h) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2012-0099, dated June 8, 2012; Structural and Component Limitations—Airworthiness Limitations, document 12 B 04 00 00 00A 000A A, dated January 27, 2012; Structural, Component and Miscellaneous—Airworthiness Limitations, document 12 A 04 00 00 00A 000A A, dated January 27, 2012; and PILATUS AIRCRAFT LTD. Service Bulletin No: 32 021, dated November 21, 2008, for related information. For service information related to this AD, contact PILATUS AIRCRAFT LTD., Customer Service Manager, CH 6371 STANS, Switzerland; telephone: +41 (0)41 619 62 08; fax: +41 (0)41 619 73 11; Internet: <http://www.pilatus-aircraft.com> or email: [SupportPC12@pilatus-aircraft.com](mailto:SupportPC12@pilatus-aircraft.com). You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

Issued in Kansas City, Missouri, on July 5, 2012.

#### Earl Lawrence,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2012-17103 Filed 7-17-12; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2012-0341; Airspace Docket No. 12-AEA-4]

#### Proposed Amendment of Class E Airspace; Wilkes-Barre, PA

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

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

**SUMMARY:** This action proposes to amend Class E Airspace at Wilkes-Barre, PA, creating controlled airspace to accommodate new Standard Instrument Approach Procedures at Wilkes-Barre Wyoming Valley Airport. This action would enhance the safety and airspace management of Instrument Flight Rules (IFR) operations at the airport. This action would also recognize the name change of Hanover Township Fire Station #5 Heliport.

**DATES:** Comments must be received on or before September 4, 2012.

**ADDRESSES:** Send comments on this rule to: U. S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey SE., Washington, DC 20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA-2012-0341; Airspace Docket No. 12-AEA-4, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** John Fornio, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to comment on this rule 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-2011-0341; Airspace Docket No. 12-AEA-4) 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>.

Persons 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 Docket No. FAA-2012-0341; Airspace Docket No. 12-AEA-4." The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. 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 from and comments submitted through <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 address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, room 210, 1701 Columbia Avenue, College Park, Georgia 30337.

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

#### The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to amend Class E airspace at Wilkes-Barre, PA providing the controlled airspace required to support the new RNAV GPS standard instrument approach procedures for Wilkes-Barre Wyoming Valley Airport. Controlled airspace extending upward from 700 feet above the surface would be created for the safety and management of IFR operations at the airport. Also, the heliport formerly known as Fire Station Helipad at Mercy Hospital would be changed to Hanover Township Fire Station #5 Heliport.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.9V, dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation