

between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Burl's Aircraft, LLC, P.O. Box 671487, Chugiak, Alaska 99567-1487; phone: (907) 688-3715; fax (907) 688-5031; e-mail [burl@biginalaska.com](mailto:burl@biginalaska.com); Internet: <http://www.burlac.com>. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Room 301, 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:** Eric Wright, Aerospace Engineer, FAA, Anchorage Aircraft Certification Office, 222 W. 7th Ave., #14, Anchorage, Alaska 99513; telephone: (907) 271-2648; fax: (907) 271-6365; e-mail: [eric.wright@faa.gov](mailto:eric.wright@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-2011-0318; Directorate Identifier 2010-CE-033-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

We issued an NPRM to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to all

Burl A. Rogers (type certificate previously held by William Brad Mitchell and Aeronca, Inc.) Models 15AC and S15AC airplanes. The NPRM published in the **Federal Register** on April 4, 2011 (76 FR 18454). The NPRM proposed to require repetitive inspections of the upper and lower main wing spar cap angles for cracks and/or corrosion and installing inspection access panels. The NPRM also proposed to require replacing the wing spar cap angles if moderate or severe corrosion is found and applying corrosion inhibitor.

Since we issued the NPRM, we received a request to extend the comment period of the NPRM to 90 days.

#### FAA's Determination

We have considered the request and find it appropriate to extend the comment period to give all interested persons additional time to examine all data and the proposed requirements of the NPRM and submit comments. We determined that extending the comment period to 90 days will not compromise the safety of these airplanes.

The comment period for Docket No. FAA-2011-0318; Directorate Identifier 2010-CE-033-AD is hereby extended to July 3, 2011.

Since no portion of the NPRM or other regulatory information has been changed, the entire NPRM is not being republished.

Issued in Kansas City, Missouri, on April 22, 2011.

**John Colomy,**

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

[FR Doc. 2011-10383 Filed 4-28-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2011-0436; Directorate Identifier 2011-CE-009-AD]

RIN 2120-AA64

#### Airworthiness Directives; Hawker Beechcraft Corporation Models B300 and B300C (C-12W) Airplanes

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD would require inserting an update to

the performance charts in the FAA-approved airplane flight manual and the pilot's operating handbook, part number (P/N) 130-590031-245. This proposed AD was prompted by an error found in the take-off speeds and field lengths published in the FAA-approved airplane flight manual. We are proposing this AD to correct the published data in the airplane flight manual and the pilot's operating handbook and ensure it corresponds with the published data in the pilot's checklist. This condition, if not corrected, could result in a pilot taking off from shorter runways than required by the airplane if the airplane loses an engine after takeoff decision speed ( $V_1$ ). This could result in the airplane running out of runway before take-off can be accomplished.

**DATES:** We must receive comments on this proposed AD by June 13, 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 proposed AD, contact Hawker Beechcraft Corporation, 9709 East Central, Wichita, Kansas 67201; telephone: (316) 676-5034; fax: (316) 676-6614; Internet: [https://www.hawkerbeechcraft.com/service\\_support/pubs/](https://www.hawkerbeechcraft.com/service_support/pubs/). 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:** Jason Brys, Flight Test Engineer, FAA, Wichita Aircraft Certification Office (ACO), 1801 S. Airport Road, Room 100, Wichita, Kansas 67209; *telephone:* (316) 946-4100; *fax:* (316) 946-4107.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2011-0436; Directorate Identifier 2011-CE-009-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**

We were notified by Hawker Beechcraft Corporation of an error found in the take-off speeds and field lengths published in the FAA-approved airplane flight manual. The required runway distances published in the current manual could be up to 320 feet shorter than what is necessary. Hawker Beechcraft Corporation determined data in the pilot’s checklist (P/N 130-590031-273) was correct. This condition, if not corrected, could result in taking off from shorter runways than required by the airplane if the airplane loses an engine after takeoff decision speed (V<sub>1</sub>). This could result in the airplane running out of runway before take-off can be accomplished.

**Relevant Service Information**

We reviewed Hawker Beechcraft Corporation Temporary Change to the Pilot’s Operating Handbook and FAA-

Approved Airplane Flight Manual, P/N 130-590031-245TC5, dated February 2011. The temporary change corrects the published data in the FAA-approved airplane flight manual and the pilot’s operating handbook.

**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 require inserting an update to the performance charts in the FAA-approved airplane flight manual and the pilot’s operating handbook.

**Costs of Compliance**

We estimate that this proposed AD affects 46 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
AFM page replacement .....	.5 work-hour × \$85 per hour = \$42.50.	Not applicable .....	\$42.50	\$1,955

**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 adding the following new airworthiness directive (AD):

**Hawker Beechcraft Corporation:** Docket No. FAA-2011-0436; Directorate Identifier 2011-CE-009-AD.

**Comments Due Date**

(a) We must receive comments by June 13, 2011.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to Hawker Beechcraft Corporation Model B300 and B300C (C-12W) airplanes, all serial numbers, that:

- (1) Are certificated in any category; and
- (2) Are modified per Hawker Beechcraft Drawing 130M000030 or Kit Drawing 130-4014 that incorporate Aircraft Flight Manual P/N 130-590031-245.

**Subject**

(d) Joint Aircraft System Component (JASC)/Air Transport Association (ATA) of America Code 91, Charts.

**Unsafe Condition**

(e) This AD was prompted by an error that was discovered in the take-off speeds and field lengths published in the FAA-approved flight manual. We are proposing this AD to correct the published data in the airplane flight manual and the pilot's operating handbook and ensure it corresponds with the published data in the pilot's checklist. This condition, if not corrected, could result in taking off from shorter runways than required by the airplane if the airplane loses an engine after takeoff decision speed ( $V_1$ ). This could result in the airplane running out of runway before take-off can be accomplished.

**Compliance**

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

**Action**

(g) Within 14 days after the effective date of this AD, insert Hawker Beechcraft Corporation Log of Temporary Changes, dated February 2011; and Hawker Beechcraft Corporation Temporary Change to the Pilot's Operating Handbook and FAA Approved Airplane Flight Manual, Part Number (P/N) 130-590031-245TC5, dated February 2011; into the airplanes Pilot's Operating Handbook and FAA Approved Flight Manual, P/N 130-590031-245. The actions required by this paragraph may be performed by the owner/operator (pilot) holding at least a private pilot certificate and must be entered into the aircraft records showing compliance with this AD in accordance with 14 CFR 43.9 (a)(1)-(4) and 14 CFR 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.439.

**Alternative Methods of Compliance (AMOCs)**

(h)(1) The Manager, Wichita 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.

**Related Information**

(i) For more information about this AD, contact Jason Brys, Flight Test Engineer, FAA, Wichita ACO, 1801 S. Airport Road, Room 100, Wichita, Kansas 67209; *telephone*: (316) 946-4100; *fax*: (316) 946-4107.

(j) For service information identified in this AD, contact Hawker Beechcraft Corporation, 9709 East Central, Wichita, Kansas 67201; *telephone*: (316) 676-5034; *fax*: (316) 676-

6614; *Internet*: [https://www.hawkerbeechcraft.com/service\\_support/pubs/](https://www.hawkerbeechcraft.com/service_support/pubs/). 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.

Issued in Kansas City, Missouri, on April 22, 2011.

**John Colomy,**

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

[FR Doc. 2011-10387 Filed 4-28-11; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Pipeline and Hazardous Materials Safety Administration****49 CFR Part 177**

**[Docket No. PHMSA-2010-0227 (HM-256A)]**

**RIN 2137-AE65**

**Hazardous Materials: Restricting the Use of Cellular Phones by Drivers of Commercial Motor Vehicles in Intrastate Commerce**

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

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

**SUMMARY:** The Pipeline and Hazardous Materials Safety Administration (PHMSA) proposes to restrict the use of hand-held mobile telephones, including hand-held cell phones, by drivers during the operation of a motor vehicle containing a quantity of hazardous materials requiring placarding under Part 172 of the 49 CFR or any quantity of a select agent or toxin listed in 42 CFR Part 73. Additionally, in accordance with requirements proposed by the Federal Motor Carrier Safety Administration (FMCSA), motor carriers are prohibited from requiring or allowing drivers of covered motor vehicles to engage in the use of hand-held mobile telephones while driving. This rulemaking would improve health and safety on the Nation's highways by reducing the prevalence of distracted driving-related crashes, fatalities, and injuries involving drivers of commercial motor vehicles.

**DATES:** Comments must be received by June 28, 2011.

**ADDRESSES:** You may submit comments identified by the docket number PHMSA-2010-0227 by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the

online instructions for submitting comments.

- *Fax:* (202) 493-2251.
- *Mail:* Docket Operations, U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery:* To Docket Operations; Room W12-140 on the ground floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Instructions:* All submissions must include the agency name and docket number for this rule. Note that all comments received will be posted without change, including any personal information provided. Please see the discussion of the Privacy Act below.

*Docket:* For access to the docket to read background documents and comments received, go to <http://www.regulations.gov> at any time or DOT's Docket Operations Office (*see ADDRESSES*).

**FOR FURTHER INFORMATION CONTACT:** Delmer Billings, Office of Hazardous Materials Safety, (202) 366-8553, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001.

**SUPPLEMENTARY INFORMATION:****I. Background***A. US DOT Strategy*

The United States Department of Transportation (US DOT) is leading the effort to end the dangerous practice of distracted driving on our nation's roadways and in other modes of transportation. Driver distraction can be defined as the voluntary or involuntary diversion of attention from the primary driving tasks due to an object, event, or person that shifts the attention away from the fundamental driving task. The US DOT has identified three main types of distraction that occur while operating a motor vehicle:

1. Visual—taking your eyes off of the road;
2. Manual—taking your hands off of the wheel; and
3. Cognitive—taking your mind off of driving.

The US DOT is working across the spectrum with private and public entities to tackle distracted driving, and will lead by example. The individual agencies of the US DOT are working together to share knowledge, promote a