

## ESTIMATED COSTS FOR PTLU INSTALLATION

Work hours	Average labor rate per hour	Parts	Cost per product	Fleet cost
100 .....	\$85	\$190,000	\$198,500	\$42,677,500

**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), and
3. 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.

You can find our regulatory evaluation and the estimated costs of compliance in the AD Docket.

**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 adding the following new AD:

**Airbus:** Docket No. FAA–2011–0518; Directorate Identifier 2010–NM–150–AD.

**Comments Due Date**

- (a) We must receive comments by July 5, 2011.

**Affected ADs**

- (b) None.

**Applicability**

(c) This AD applies to all Airbus Model A300 B4–601, B4–603, B4–620, and B4–622 airplanes; A300 B4–605R and B4–622R airplanes; A300 F4–605R and F4–622R airplanes; A300 C4–605R Variant F airplanes; and A310–203, –204, –221, –222, –304, –322, –324, and –325 airplanes; certificated in any category.

**Subject**

(d) Air Transport Association (ATA) of America Code 27: Flight controls.

**Unsafe Condition**

(e) This AD was prompted by events of excessive rudder pedal inputs and consequent loads on the vertical stabilizer that exceed ultimate design loads. Such events could lead to failure of the vertical stabilizer and consequent reduced controllability of the airplane.

**Compliance**

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**Modification**

(g) Within 48 months after the effective date of this AD, incorporate a design change to the rudder control system and/or other systems to address the unsafe condition identified in paragraph (e) of this AD, in accordance with a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA.

**Alternative Methods of Compliance (AMOCs)**

(h)(1) The Manager, International Branch, ANM–116, 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 Dan Rodina, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone 425–227–2125; fax 425–227–1149.

Issued in Renton, Washington, on April 26, 2011.

**Ali Bahrami,**

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

[FR Doc. 2011–12309 Filed 5–18–11; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA–2011–0403; Airspace Docket No. 11–AWP–3]

**Proposed Modification of Class E Airspace; Alturas, CA**

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

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

**SUMMARY:** This action proposes to modify Class E airspace at Alturas Municipal Airport, Alturas, CA. Controlled airspace is necessary to accommodate aircraft using Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures at Alturas Municipal Airport. The FAA is proposing this action to enhance the safety and management of aircraft operations at Alturas Municipal Airport, Alturas, CA.

**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-2011-0403; Airspace Docket No. 11-AWP-3, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Eldon Taylor, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue, SW., Renton, WA 98057; telephone (425) 203-4537.

#### 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 2011-0403 and Airspace Docket No. 11-AWP-3) 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-2011-0403 and Airspace Docket No. 11-AWP-3". 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 creating additional Class E airspace extending upward from 700 feet above the surface at Alturas, CA, to accommodate aircraft using RNAV (GPS) standard instrument approach procedures at Alturas Municipal Airport. This action would enhance the safety and management of aircraft operations at Alturas Municipal Airport.

Class E airspace designations are published in paragraph 6005, 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 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 substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106, describes the authority for the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would create additional controlled airspace at Alturas Municipal Airport, Alturas, CA.

##### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

##### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### **PART 71—DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

##### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR Part 71.1 of the Federal Aviation Administration Order 7400.9U, Airspace Designations and Reporting Points, dated August 18, 2010, and effective September 15, 2010 is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

##### **AWP CA E5 Alturas, CA [Modified]**

Alturas Municipal Airport, CA  
(Lat. 41°28'59" N., long. 120°33'55" W.)

That airspace extending upward from 700 feet above the surface beginning at lat. 41°34'00" N., long. 120°46'24" W.; to lat. 41°36'50" N., long. 120°30'19" W.; to lat. 41°14'20" N., long. 120°23'49" W.; to lat. 41°11'35" N., long. 120°39'34" W., thence to the point of beginning. That airspace extending upward from 1,200 feet above the surface beginning at lat. 41°31'00" N., long.

121°02'00" W.; to lat. 41°41'00" N., long. 120°41'04" W.; to lat. 41°41'00" N., long. 120°20'00" W.; to lat. 41°14'00" N., long. 120°15'00" W.; to lat. 41°02'00" N., long. 120°39'30" W.; to lat. 41°05'00" N., long. 121°03'00" W.; to lat. 41°22'00" N., long. 121°15'00" W., thence to the point of beginning.

Issued in Seattle, Washington, on May 12, 2011.

**John Warner,**

*Manager, Operations Support Group, Western Service Center.*

[FR Doc. 2011-12360 Filed 5-18-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 17

**RIN 2900-AN80**

#### Medical Foster Homes

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to amend the Department of Veterans Affairs (VA) "Medical" regulations to add rules relating to medical foster homes. Currently, VA's medical foster home program, whenever possible and appropriate, relies upon existing regulations that govern community residential care facilities; however, these existing regulations do not adequately or appropriately cover all aspects of medical foster homes, which provide community based care in a smaller, residential facility and to a more medically complex and disabled population. The proposed rules reflect current VA policy and practice, and generally conform to industry standards and expectations.

**DATES:** Comments on the proposed rule must be received by VA on or before July 18, 2011.

**ADDRESSES:** Written comments may be submitted through <http://www.Regulations.gov>; by mail or hand-delivery to the Director, Regulations Management (02REG), Department of Veterans Affairs, 810 Vermont Avenue, NW., Room 1068, Washington, DC 20420; or by fax to (202) 273-9026. Comments should indicate that they are submitted in response to "RIN 2900-AN80, Medical Foster Homes." Copies of comments received will be available for public inspection in the Office of Regulation Policy and Management, Room 1063B, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays). Please call (202) 461-4902 for an appointment. This is not a toll-free number. In

addition, during the comment period, comments may be viewed online at <http://www.Regulations.gov> through the Federal Docket Management System (FDMS).

**FOR FURTHER INFORMATION CONTACT:** Rick Greene, Office of Patient Care Services (114), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 461-6786. (This is not a toll free number.)

#### SUPPLEMENTARY INFORMATION:

##### General Background

Many veterans who are disabled due to complex chronic disease or traumatic injury may be unable to live safely and independently, or may have health care needs that exceed the capabilities of their families. Many of these veterans are placed in nursing homes. However, with the proper support, many veterans who previously would have been placed in nursing homes can continue to live in a home and delay, or totally avoid, the need for nursing home care. VA's community residential care program, specifically authorized by 38 U.S.C. 1730 and implemented at 38 CFR 17.61 through 17.72, has provided health care supervision to eligible veterans who are not able to live independently and have no suitable family or significant others to provide needed supervision and supportive care.

A medical foster home is a specific type of community residential care facility that provides home-based care to a small number of residents with serious chronic disease and disability. Under 38 U.S.C. 1730 as implemented by 38 CFR 17.61(b), community residential care is not a substitute for nursing home care. A medical foster home provides a greater level of care than a community residential care facility (and in this respect a medical foster home is more analogous to nursing home care), while allowing veterans to live in a home-like setting and maintain a greater degree of independence. VA interprets 38 U.S.C. 1730 as authorizing a medical foster home program, as a subset of the community residential care program. In particular, we believe medical foster homes fit within the type of facility authorized by section 1730(f), since they provide "room and board and \* \* \* limited personal care." The medical foster home program is targeted to the needs of veterans who meet the eligibility criteria, which we would establish in proposed 38 CFR 17.73(c).

Through the medical foster home program, VA recognizes and approves certain medical foster homes for the placement of veterans. When a veteran

is placed in an approved medical foster home, VA will provide inspections of the home, oversight, and medical foster home caregiver training. If a medical foster home does not meet our criteria for approval, VA will not provide these benefits and services, which, in turn, may discourage veterans from seeking to be placed in that home. Thus, the process of obtaining and maintaining VA approval has a substantial and vital impact on the lives of veterans, and is useful to medical foster homes.

Currently, VA does not have regulations specifically targeted at governing medical foster homes, and, when necessary and appropriate, we have relied upon the regulations that govern all community residential care facilities, industry standards, and VA policy and practice to ensure the safety and quality of approved VA medical foster homes. However, many of our current regulations governing community residential care cannot or should not apply to medical foster homes. For example, the life safety provisions in 38 CFR 17.63 refer to industry standards that specifically govern facilities with four or more residents, while medical foster homes, by definition, provide care to three or fewer residents. By establishing these regulations, we intend to make clear to the public the criteria which VA will use when deciding whether to approve a medical foster home. Moreover, our current regulations applicable to community residential care facilities do not adequately protect bedridden patients. The current regulations are only intended to address homes where personal care services are provided to veterans and are not intended to address bedridden patients.

This proposed rule would reflect current practice and policy and would require approved facilities to conform with applicable state and local regulations. The proposed rule is also based, as much as possible, on our current regulations governing community residential care. Because the proposed rule would reflect industry standards and current VA policy and procedures, we do not expect that it would have a significant or adverse impact on medical foster homes that are currently approved by VA, or on those that are not approved but who would seek approval under the proposed rule.

#### Section 17.73 Medical Foster Homes—General

Proposed § 17.73(a) would briefly describe the purpose of the medical foster home program, and clarify that a choice to become a resident in a medical foster home is a voluntary decision on