

the marketing order. In addition, the Committee's meeting was widely publicized throughout the Florida citrus industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the July 17, 2012, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit comments on this proposed rule, including the regulatory and informational impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995, (44 U.S.C. Chapter 35), the order's information collection requirements have been previously approved by the Office of Management and Budget (OMB) and assigned OMB No. 0581-0189 Generic Fruit Crops. No changes in those requirements as a result of this action are necessary. Should any changes become necessary, they would be submitted to OMB for approval.

This proposed rule would impose no additional reporting or recordkeeping requirements on either small or large Florida citrus handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this proposed rule.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: [www.ams.usda.gov/MarketingOrdersSmallBusinessGuide](http://www.ams.usda.gov/MarketingOrdersSmallBusinessGuide). Any questions about the compliance guide should be sent to Laurel May at the previously-mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

A 10-day comment period is provided to allow interested persons to respond to this proposed rule. Ten days is deemed appropriate because: (1) The 2012-13 fiscal period began on August 1, 2012, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable citrus handled during such fiscal period; (2) the Committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis; and (3) handlers are aware of this

action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years.

#### List of Subjects in 7 CFR Part 905

Grapefruit, Oranges, Reporting and recordkeeping requirements, Tangelos, Tangerines.

For the reasons set forth in the preamble, 7 CFR part 905 is proposed to be amended as follows:

#### PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

- 1. The authority citation for 7 CFR part 905 continues to read as follows:

Authority: 7 U.S.C. 601-674.

- 2. Section 905.235 is revised to read as follows:

##### § 905.235 Assessment rate.

On and after August 1, 2012, an assessment rate of \$0.008 per  $\frac{4}{5}$  bushel carton or equivalent is established for Florida citrus covered under the order.

Dated: January 9, 2013.

**David R. Shipman,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2013-00599 Filed 1-14-13; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2012-0013; Directorate Identifier 2012-CE-046-AD]

RIN 2120-AA64

#### Airworthiness Directives; GROB-WERKE 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 GROB-WERKE Model G115EG airplanes. 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 cracks in the elevator trim tab arms on several Grob G 115 airplanes, which could result in

failure of the part and consequent loss of control. 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 March 1, 2013.

**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 Grob Aircraft AG, Lettenbachstrasse 9, D-86874 Tussenhausen-Mattsies, Germany; phone: +49 (0) 8268 998 139; fax: +49 (0) 8268 998 200; email: [productsupport@grob-aircraft.de](mailto:productsupport@grob-aircraft.de); Internet: [www.grob-aircraft.com/index.php/g-115e.html](http://www.grob-aircraft.com/index.php/g-115e.html). 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:

Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4138; fax: (816) 329-4090; email: [taylor.martin@faa.gov](mailto:taylor.martin@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–2013–0013; Directorate Identifier 2012–CE–046–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://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

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No. 2012–0155, dated August 20, 2012 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

On several Grob G 115 aeroplanes, elevator trim tab arms Part Number (P/N) 115E–3758 have been found cracked, from a rear mounting hole (either L/H or R/H) to the rear edge of the trim tab arm.

This condition, if not detected and corrected, could lead to further crack propagation, possibly resulting in failure of the part and consequent loss of control of the aeroplane.

For the reasons described above, this AD requires repetitive inspections of the elevator trim tab arm to detect cracks and, if detected, replacement of the part with a serviceable part.

This AD also provides an optional terminating action for the repetitive inspections.

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

### Relevant Service Information

Grob Aircraft has issued Service Bulletin No. MSB1078–186/3, dated August 3, 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 will affect 0 products of U.S. registry. We also estimate that it would take about 3 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$372 per product.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$627 per product.

### 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 AD:

**Grob-Werke:** Docket No. FAA–2012–0013; Directorate Identifier 2012–CE–046–AD.

#### (a) Comments Due Date

We must receive comments by March 1, 2013.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to GROB–WERKE G115EG airplanes, all serial numbers, certificated in any category.

#### (d) Subject

Air Transport Association of America (ATA) Code 55: Stabilizers.

#### (e) Reason

This AD was prompted by the discovery of cracks in the elevator trim tab arms on several Grob G 115 airplanes, which could result in failure of the part and consequent loss of control. We are issuing this proposed AD to detect cracks and prevent the part from failing.

#### (f) Actions and Compliance

Unless already done, do the following actions following Grob Aircraft Service Bulletin No. MSB1078–186/3, dated August 3, 2012.

(1) Within the next 50 hours time-in-service (TIS) after the effective date of this AD and repetitively thereafter at intervals not to exceed 200 hours TIS, inspect elevator trim tab arms, part number (P/N) 115E–3758, using a nondestructive testing (NDT) method such as a dye-penetrant or eddy-current.

**Note for paragraph (f)(1) of this AD:** There must be a more significant nondestructive testing (NDT) method of inspection beyond a visual inspection to accomplish the inspection requirements in paragraph (f)(1) of this AD.

(2) If during any inspection required in paragraph (f)(1) of this AD a crack is found, before further flight, replace the affected elevator trim tab arm with an airworthy part.

(3) Replacement at any time of an elevator trim tab arm with an airworthy part that has a P/N other than P/N 115E-3758, will terminate the repetitive requirement in paragraph (f)(1) of this AD.

**(g) Credit for Actions Accomplished in Accordance With Previous Service Information**

This AD provides credit for the actions required in this AD if already done before the effective date of this AD following Grob Aircraft Service Bulletin No. MSB1078-186/2, dated March 28, 2012; Grob Aircraft Service Bulletin No. MSB1078-186/1, dated March 8, 2012; or Grob Aircraft Service Bulletin No. MSB1078-186, dated February 15, 2012.

**(h) 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: Taylor Martin, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4138; fax: (816) 329-4090; email: [taylor.martin@faa.gov](mailto:taylor.martin@faa.gov). 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.

(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.

**(i) Related Information**

Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2012-0155, dated August 20, 2012; and Grob Aircraft Service Bulletin No. MSB1078-186/3, dated August 3, 2012, for related information. For service

information related to this AD, contact Grob Aircraft AG, Lettenbachstrasse 9, D-86874 Tussenhausen-Matties, Germany; phone: +49 (0) 8268 998 139; fax: +49 (0) 8268 998 200; email: [productsupport@grob-aircraft.de](mailto:productsupport@grob-aircraft.de); Internet: [www.grob-aircraft.com/index.php/g-115e.html](http://www.grob-aircraft.com/index.php/g-115e.html). 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 January 8, 2013.

**John Colomy,**

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

[FR Doc. 2013-00667 Filed 1-14-13; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 121**

**[Docket No. FAA-2012-0929; Notice No. 13-02]**

**RIN 2120-AJ17**

**Prohibition on Personal Use of Electronic Devices on the Flight Deck**

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

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

**SUMMARY:** The proposed rule would prohibit flightcrew members in operations under part 121 from using a personal wireless communications device or laptop computer for personal use while at their duty station on the flight deck while the aircraft is being operated. This rule, which conforms FAA regulations with recent legislation, is intended to ensure that certain non-essential activities do not contribute to the challenge of task management on the flight deck or a loss of situational awareness due to attention to non-essential tasks.

**DATES:** Send comments on or before March 18, 2013.

**ADDRESSES:** Send comments identified by docket number FAA-2012-0929 using any of the following methods:

- *Federal eRulemaking Portal*: Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.
- *Mail*: Send comments to Docket Operations, M-30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12-140, West Building Ground Floor, Washington, DC 20590-0001.
- *Hand Delivery or Courier*: Take comments to Docket Operations in

Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

• *Fax*: Fax comments to Docket Operations at 202-493-2251.

*Privacy*: The FAA will post all comments it receives, without change, to <http://www.regulations.gov>, including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477-19478), as well as at <http://DocketsInfo.dot.gov>.

*Docket*: Background documents or comments received may be read at <http://www.regulations.gov> at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this proposed rule, contact Nancy Lauck Claussen, Air Transportation Division (AFS-200), Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-8166; email [Nancy.L.Claussen@faa.gov](mailto:Nancy.L.Claussen@faa.gov).

For legal questions concerning this action, contact Nancy Sanchez, Office of the Chief Counsel, Regulations Division, AGC-200, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-3073; email [Nancy.Sanchez@faa.gov](mailto:Nancy.Sanchez@faa.gov).

**SUPPLEMENTARY INFORMATION:** See the "Additional Information" section for information on how to comment on this proposal and how the FAA will handle comments received. The "Additional Information" section also contains related information about the docket, privacy, the handling of proprietary or confidential business information. In addition, there is information on obtaining copies of related rulemaking documents.

**Authority for This Rulemaking**

The FAA's authority to issue rules on aviation safety is found in Title 49 of the United States Code. Subtitle I, Section