

Washington and all of the counties in the state of California except for those California counties included in District Seven.

*District 6*—The counties in the state of Texas, except for those counties in Texas included in District Seven.

*District 7*—The counties in the state of Texas; Dallam, Sherman, Hanaford, Ochiltree, Lipscomb, Hartely, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childness, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockely, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, the states of New Mexico, Arizona, Utah, Colorado, Idaho, Montana, and Wyoming, and the following counties in California; San Bernardino, Riverside, San Diego, and Imperial.

Under this realignment: (1) Eighteen Florida counties are moved from District 2 to District 1; (2) Alabama, Arkansas, Louisiana, Mississippi, and Tennessee are moved from District 3 to District 2; (3) North Carolina, Virginia and Oklahoma are moved from District 4 to District 2; (4) Georgia counties Early, Baker, Miller, Colquitt, Thomas, Grady, Decatur, and Seminole are moved from District 3 to District 2; (5) Montana, Idaho, Wyoming, Utah and Colorado are moved from District 5 to District 7; (6) Texas counties Dallam, Sherman, Hanaford, Ochiltree, Lipscomb, Hartely, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carlson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childness, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockely, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent, and Stonewall, are moved from District 6 to District 7; and (7) California counties Los Angeles and Orange are moved from District 7 to District 5.

Due to the re-alignment of the districts the following vacancies are created: one handler vacancy in District 4, one handler vacancy in District 2, and one producer vacancy in District 5. Current Board members would be affected because their states or counties would be moved to other districts. Nomination meetings will be held as soon as possible in the new districts to fill the vacancies.

An interim final rule that re-aligned the districts under the Plan was published in the **Federal Register** on June 14, 2006. Copies of the rule were made available through the Internet by USDA and the Office of the Federal

Register. That rule provided a 30-day comment period which ended July 15, 2006. Two comments were received by the deadline.

Two unfavorable comments were received. The commenters' state that USDA should not be marketing the agribusiness products at the expense of the taxpayers; however, the Board is industry-funded and, as such, taxpayers' dollars are not expended on this program.

After consideration of all relevant material presented including comments, the Board's recommendation, and other information, it is found that finalizing the interim final rule, without change, as published in the **Federal Register** (71 FR 34232) on June 14, 2006, will tend to effectuate the declared policy of the Act.

#### List of Subjects in 7 CFR Part 1210

Administrative practice and procedure, Advertising, Consumer information, Marketing agreements, Reporting and recordkeeping requirements, Watermelon promotion.

■ 1. The authority citation for 7 CFR part 1210 continues to read as follows:

**Authority:** 7 U.S.C. 4901–4916.

#### PART 1210—WATERMELON RESEARCH AND PROMOTION PLAN

■ The interim final rule amending of 7 CFR part 1210, which was published in the June 14, 2006, **Federal Register** at 71 FR 34232 is adopted without change.

Dated: October 27, 2006.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E6–18517 Filed 11–1–06; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2006–24487; Directorate Identifier 2006–NE–13–AD; Amendment 39–14810; AD 2006–22–13]

RIN 2120–AA64

#### Airworthiness Directives; Pratt & Whitney PW4074, PW4074D, PW4077, PW4077D, PW4084D, PW4090, PW4090–3, and PW4098 Turbofan Engines

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for Pratt & Whitney PW4074, PW4074D, PW4077, PW4077D, PW4084D, PW4090, PW4090–3, and PW4098 turbofan engines, with certain front turbine hub part numbers installed. This AD requires a onetime visual inspection of the anti-rotation slots in the front turbine hub, for a machining nonconformance, and its replacement if the inspection failed. This AD results from a report of a crack found in an anti-rotation slot of a front turbine hub, during overhaul shop inspection. The anti-rotation slot geometry was not machined in conformance with the design drawing during manufacture. We are issuing this AD to prevent uncontained engine failure, damage to the airplane, and injury to passengers.

**DATES:** This AD becomes effective December 7, 2006. The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of December 7, 2006.

**ADDRESSES:** You can get the service information identified in this AD from Pratt & Whitney, 400 Main St., East Hartford, CT 06108; telephone (860) 565–8770; fax (860) 565–4503.

You may examine the AD docket on the Internet at <http://dms.dot.gov> or in Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Antonio Cancelliere, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238–7751; fax (781) 238–7199.

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 with a proposed AD. The proposed AD applies to Pratt & Whitney PW4074, PW4074D, PW4077, PW4077D, PW4084D, PW4090, PW4090–3, and PW4098 turbofan engines, with certain front turbine hub part numbers installed. We published the proposed AD in the **Federal Register** on June 9, 2006 (71 FR 33412). That action proposed to require a onetime visual inspection of the anti-rotation slots in the front turbine hub, for a machining nonconformance, and its replacement if the inspection failed.

#### Examining the AD Docket

You may examine the docket that contains the AD, any comments received, and any final disposition in person at the Docket Management Facility Docket Office between 9 a.m. and 5 p.m., Monday through Friday,

except Federal holidays. The Docket Office (telephone (800) 647-5227) is located on the plaza level of the Department of Transportation Nassif Building at the street address stated in **ADDRESSES**. Comments will be available in the AD docket shortly after the DMS receives them.

#### Comments

We provided the public the opportunity to participate in the development of this AD. We have considered the comments received.

#### Request To Allow Use of Electro-Chemical Etch

United Airlines requests that we allow using the electro-chemical etch method for marking parts in this AD, as an alternate marking method. The commenter states that the electro-chemical etch method is better because it leaves no raised metal to wear on other mating parts. We agree, provided that the electro-chemical etch instructions from Pratt & Whitney are followed. Those instructions can be found in Pratt & Whitney's Cleaning, Inspection, and Repair Manual, part number 51A750, and in their Standard Practices Manual, part number 585005. Because the marking instructions are part of the service bulletin paragraphs that we incorporated by reference, we did not change the AD.

#### Request To Eliminate Reporting Requirement

United Airlines requests that we eliminate the reporting requirement of inspection findings, from the AD. The commenter states that the reporting will not enhance airworthiness. We agree. However, our proposed AD incorporates by reference paragraphs 1.A. through 1.C.(2) of the Accomplishment Instructions of Pratt & Whitney Service Bulletin No. PW4G-112-72-282, Revision 1, dated March 3, 2006, which do not require reporting. We did not change the AD.

#### Request To Change Compliance Paragraph (e)

Pratt & Whitney requests that we change compliance paragraph (e), which states that you are responsible for having the actions required by this AD performed at the next exposure of the rear side of the front turbine hub after the effective date of this AD, unless the actions have already been done. They state that this could be interpreted to mean that the engine must be disassembled and inspected because the front turbine hub is not at piece-part level.

We agree. We changed paragraph (e) in the AD to read "you are responsible for having the actions required by this AD performed at the next disassembly at piece-part level of the front turbine hub after the effective date of this AD, unless the actions have already been done."

#### Conclusion

We carefully reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD with the changes described. We determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

#### Costs of Compliance

We estimate that this AD will affect 117 Pratt & Whitney PW4074, PW4074D, PW4077, PW4077D, PW4084D, PW4090, PW4090-3, and PW4098 turbofan engines installed on airplanes of U.S. registry. We also estimate that it will take one work-hour per engine to perform the actions, and that the average labor rate is \$80 per work-hour. A replacement front turbine hub will cost about \$253,000 for a PW4074, PW4074D, PW4077, PW4077D, or PW4084D engine, and about \$283,000 for a PW4090, PW4090-3, or PW4098 engine. To date, the failure rate of inspected front turbine hubs is ten per cent. Therefore, we expect the cost of the AD to U.S. operators to be \$3,144,960.

#### 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 have determined that 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); 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.

We prepared a summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary at the address listed under **ADDRESSES**.

#### 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 Federal Aviation Administration 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:

**2006-22-13 Pratt & Whitney:** Amendment 39-14810. Docket No. FAA-2006-24487; Directorate Identifier 2006-NE-13-AD.

#### Effective Date

(a) This airworthiness directive (AD) becomes effective December 7, 2006.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Pratt & Whitney PW4074, PW4074D, PW4077, PW4077D, PW4084D, PW4090, PW4090-3, and PW4098 turbofan engines, with front turbine hub part numbers 50L761, 52L701, 55L221, 52L901, 53L121, 55L521, and 53L021, installed. These engines are installed on, but not limited to, Boeing 777 airplanes.

#### Unsafe Condition

(d) This AD results from a report of a crack found in an anti-rotation slot of a front turbine hub, during overhaul shop

inspection. The anti-rotation slot geometry was not machined in conformance with the design drawing during manufacture. We are issuing this AD to prevent uncontained engine failure, damage to the airplane, and injury to passengers.

#### Compliance

(e) You are responsible for having the actions required by this AD performed at the next disassembly at piece-part level of the front turbine hub after the effective date of this AD, unless the actions have already been done.

#### Onetime Visual Inspection

(f) For front turbine hubs listed by part number and serial number in Table 1, Table 2, and Table 3 of Pratt & Whitney Service Bulletin (SB) No. PW4G-112-72-282, Revision 1, dated March 3, 2006, do the following:

(1) Perform a onetime visual inspection for extra fillet radii in the anti-rotation slots.

(2) Use paragraphs 1.A. through 1.C.(2) of the Accomplishment Instructions of Pratt & Whitney SB No. PW4G-112-72-282, Revision 1, dated March 3, 2006, to do the inspection.

(3) Remove from service any front turbine hub that has extra fillet radii in the anti-rotation slots and install a serviceable front turbine hub.

#### Prohibition of Front Turbine Hubs That Have Extra Fillet Radii in the Anti-Rotation Slots

(g) After the effective date of this AD, do not install any front turbine hub that has extra fillet radii in the anti-rotation slots, onto any engine.

#### Previous Credit

(h) Previous credit is allowed for front turbine hubs inspected using Pratt & Whitney SB No. PW4G-112-72-282, dated February 27, 2006, or Revision 1, dated March 3, 2006, before the effective date of this AD.

#### Alternative Methods of Compliance

(i) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

#### Material Incorporated by Reference

(j) You must use Pratt & Whitney Service Bulletin No. PW4G-112-72-282, Revision 1, dated March 3, 2006, to perform the actions required by this AD. The Director of the Federal Register approved the incorporation by reference of this service bulletin in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Pratt & Whitney, 400 Main St., East Hartford, CT 06108; telephone (860) 565-8770; fax (860) 565-4503, for a copy of this service information. You may review copies at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Burlington, Massachusetts, on October 24, 2006.

**Peter A. White,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. E6-18368 Filed 11-1-06; 8:45 am]

**BILLING CODE 4910-13-P**

## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Part 140

#### Boards of Trade Located Outside of the United States and No-Action Relief From the Requirement To Become a Designated Contract Market or Derivatives Transaction Execution Facility

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Policy statement.

**SUMMARY:** The Commodity Futures Trading Commission is issuing a Statement of Policy that affirms the use of the no-action process to permit foreign boards of trade to provide direct access to their electronic trading systems to U.S. members or authorized participants, and provides additional guidance and procedural enhancements.<sup>1</sup>

**DATES:** *Effective Date:* November 2, 2006.

#### FOR FURTHER INFORMATION CONTACT:

Robert Rosenfeld, Deputy Director, Office of International Affairs, 202-418-5423, [rosenfeld@cftc.gov](mailto:rosenfeld@cftc.gov); Julian Hammar, Counsel, Office of the General Counsel, 202-418-5118, [jhammar@cftc.gov](mailto:jhammar@cftc.gov); or Duane Andresen, Special Counsel, Division of Market Oversight, 202-418-5492, [dandresen@cftc.gov](mailto:dandresen@cftc.gov), Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581.

#### SUPPLEMENTARY INFORMATION:

#### Background

Since 1996, staff of the Commodity Futures Trading Commission (CFTC or Commission) has issued no-action letters<sup>2</sup> to foreign boards of trade

<sup>1</sup> Commission Rule 140.12, 17 CFR § 140.12 Disposition of business by seriatim Commission consideration.

<sup>2</sup> See Commission Rule 140.99, 17 CFR 140.99 (2006), which defines the term "no-action letter" as a written statement issued by the staff of a Division of the Commission or of the Office of the General Counsel that it will not recommend enforcement action to the Commission for failure to comply with a specific provision of the Act or of a Commission rule, regulation or order if a proposed transaction is completed or a proposed activity is conducted by the beneficiary.

stating, subject to compliance with certain conditions, that it will not recommend that the Commission take enforcement action if the foreign board of trade provides its members or participants in the United States access to its electronic trading system without seeking designation under the Commodity Exchange Act (CEA or Act) as a contract market (DCM) or registration as a derivatives transaction execution facility (DTEF).<sup>3</sup> In 1998 the Commission imposed a moratorium on the issuance of such no-action letters pending the development of rules governing access to automated foreign boards of trade.<sup>4</sup> During this period, the Commission received extensive comment on the proposed rulemaking, as well as advice from the Commission's Global Markets Advisory Committee and a Public Round Table. Because of the general lack of consensus on many of the fundamental issues surrounding access to foreign boards of trade, the Commission withdrew the proposed rules in an order that also directed the staff:

To begin immediately processing no-action requests from foreign boards of trade seeking to place trading terminals in the United States, and to issue responses where appropriate, pursuant to the general guidelines included in the Eurex (DTB) no-action process, or other guidelines established by the Commission, to be reviewed and applied as appropriate on a case-by-case basis.<sup>5</sup>

<sup>3</sup> These letters, hereinafter referred to generally as "no-action letters" are published on the Commission's Web site at: <http://www.cftc.gov/dea/deaforeignterminaltable.htm>. Reference to DTEFs in the no-action letters was added following the establishment of that category by the Commodity Futures Modernization Act of 2000.

Although the letters refer to the placement of "terminals," the continued use of that term does not accurately reflect advances in technology, such as open network systems accessible through the Internet.

<sup>4</sup> 63 FR 39779 (July 24, 1998) (Concept Release); 64 FR 14159 (March 24, 1999) (Proposed Rules). Under the terms of a letter dated June 3, 1998 to Eurex Deutschland, the Division of Trading and Markets modified the terms of the original 1996 no-action letter to the effect that Eurex members who were not already operating U.S.-based Eurex Terminals generally were prevented from placing Eurex terminals in the U.S. absent written authorization from the Division, pending adoption of Commission rules regarding electronic access to foreign exchanges.

<sup>5</sup> Commission Order dated June 2, 1999, 64 FR 32829, 32830 (June 18, 1999). The Eurex-DTB no-action process referred to by the Commission in its 1999 Order lifting the moratorium was set forth in a letter dated February 29, 1996 from Andrea Corcoran, Director, Division of Trading and Markets to Lawrence Hunt, Jr., pp. 12-13 (the DTB no-action letter). CFTC Letter 96-28, indexed at <http://www.cftc.gov/opa/summaries/opanal96.htm>; [1994-1995 Transfer Binder] Comm. Fut. L. Rep. (CCH) ¶ 26,669 at 43,795-43,802 (February 29, 1996). On June 18, 1998, the DTB changed its name