

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Parts 305 and 319

[Docket No. APHIS-2007-0061]

RIN 0579-AC40

#### Importation of Blueberries From South Africa, Uruguay, and Argentina With Cold Treatment; Correction

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Proposed rule; correction.

**SUMMARY:** We are correcting an error in our proposed rule to amend the regulations to allow the importation into the continental United States of fresh blueberries from South Africa and Uruguay under certain conditions and to allow the use of cold treatment for blueberries imported into the United States from Argentina. The proposed rule was published in the **Federal Register** on June 5, 2007 (72 FR 30979-30984, Docket No. APHIS 2007-0061).

**FOR FURTHER INFORMATION CONTACT:** Mr. Tony Román, Import Specialist, Commodity Import Analysis and Operation Staff, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737-1231; (301) 734-8758.

**SUPPLEMENTARY INFORMATION:** On June 5, 2007, we published in the **Federal Register** (72 FR 30979-30984, Docket No. APHIS-2007-0061) a proposed rule to allow the importation into the continental United States of fresh blueberries from South Africa and Uruguay under certain conditions. As a condition of entry, the blueberries would have to undergo cold treatment and would have to be accompanied by a phytosanitary certificate issued by the national plant protection organization (NPPO) of the exporting country. In addition, we also proposed to allow the use of cold treatment for blueberries imported into the United States from Argentina.

In two places in the Supplementary Information section of the proposed rule and in one place in the regulatory text, we stated that we would require shipments of blueberries from South Africa and Uruguay to be accompanied by a phytosanitary certificate issued by the NPPO of the importing country. This information was incorrect. We should have stated that we would require shipments of blueberries from South Africa and Uruguay to be accompanied by a phytosanitary certificate issued by the NPPO of the exporting country. This document corrects those errors.

#### Correction

In FR Doc. E7-10818, published on June 5, 2007 (72 FR 30979-30984) make the following corrections: On page 30980, first column, fourteenth line following the second table; on page 30981, first column, tenth line; and on page 30984, first column, in proposed § 319.56-2vv(b), correct "importing" to read "exporting".

Done in Washington, DC, this 11th day of June 2007.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E7-11616 Filed 6-14-07; 8:45 am]

**BILLING CODE 3410-34-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-27864; Directorate Identifier 2007-CE-038-AD]

RIN 2120-AA64

#### Airworthiness Directives; Pacific Aerospace Limited Model 750XL 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 the products listed above. 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:

To prevent damage to the rear spar due to working and failing rivets between the rear spar and the inboard rib \* \* \*

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI. **DATES:** We must receive comments on this proposed AD by July 16, 2007.

**ADDRESSES:** You may send comments by any of the following methods:

- **DOT Docket Web Site:** Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- **Fax:** (202) 493-2251.

- **Mail:** Docket Management Facility, 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.

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

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://dms.dot.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:** Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4146; fax: (816) 329-4090.

#### 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-2007-27864; Directorate Identifier 2007-CE-038-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://dms.dot.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 Civil Aviation Authority (CAA), which is the aviation authority for New Zealand, has issued AD DCA/750XL/9, dated March 29, 2007 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

To prevent damage to the rear spar due to working and failing rivets between the rear spar and the inboard rib \* \* \*

The MCAI requires inspecting the inboard end of the rear spar for security of the blind rivets, inspecting the radii of the rear spar upper and lower flanges for cracking, inspecting the aft flange of the inboard rib for cracking, replacing the rear spar if cracks are found in any of the inspections, and modifying the rear spar by replacing the blind rivets with bolts or rivets.

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

### Relevant Service Information

Pacific Aerospace Limited has issued Mandatory Service Bulletin PACSB/XL/022, dated February 14, 2007. 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.

### Differences Between This Proposed AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 7 products of U.S. registry. We also estimate that it would take about 40 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$200 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$23,800, or \$3,400 per product.

In addition, we estimate that any necessary follow-on actions would take about 40 work-hours and require parts costing \$750, for a cost of \$3,950 per product. This cost estimate is per side. 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); 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 regulatory evaluation of the estimated costs to comply with this proposed AD and placed it 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:

**Pacific Aerospace Limited:** Docket No. FAA-2007-27864; Directorate Identifier 2007-CE-038-AD.

#### Comments Due Date

- (a) We must receive comments by July 16, 2007.

#### Affected ADs

- (b) None.

#### Applicability

- (c) This AD applies to Model 750XL airplanes, serial numbers 101, 102, and 104 through 128, certificated in any category.

**Subject**

(d) Air Transport Association of America (ATA) Code 57: Wings.

**Reason**

(e) The mandatory continuing airworthiness information (MCAI) states:

To prevent damage to the rear spar due to working and failing rivets between the rear spar and the inboard rib \* \* \*

The MCAI requires inspecting the inboard end of the rear spar for security of the blind rivets, inspecting the radii of the rear spar upper and lower flanges for cracking, inspecting the aft flange of the inboard rib for cracking, replacing the rear spar if cracks are found in any of the inspections, and modifying the rear spar by replacing the blind rivets with bolts or rivets.

**Actions and Compliance**

(f) Unless already done, do the following actions:

(1) Within 50 hours time-in-service (TIS) after the effective date of this AD, and thereafter at intervals not to exceed 150 hours TIS until the blind rivets have been replaced by bolts or rivets as required in paragraph (f)(3) of this AD, inspect the inboard end of the rear spar for security of the blind rivets, which attach the fuselage attach fitting to the rear spar and inboard rib; inspect the radii of the rear spar upper and lower flanges for cracking; and inspect the aft flange of the inboard rib for cracking following Pacific Aerospace Limited Mandatory Service Bulletin PACSB/XL/022 dated February 14, 2007.

(2) Before further flight, after any inspection where cracking is found, repair the aft flange of the inboard rib and/or replace the rear spar following Pacific Aerospace Limited Mandatory Service Bulletin PACSB/XL/022 dated February 14, 2007.

(3) Within 12 months or 300 hours TIS after the effective date of this AD, whichever occurs first, replace the blind rivets (part number NAS1738E-6-6) that join the rear spar and the aft end of the inboard rib with bolts or rivets following Pacific Aerospace Limited Mandatory Service Bulletin PACSB/XL/022, dated February 14, 2007.

(4) At intervals not to exceed 12 months or 300 hours TIS after the effective date of this AD, whichever occurs first, after the modification required in paragraph (f)(3) of this AD, repetitively inspect the main wing aft attachment area following Pacific Aerospace Limited Mandatory Service Bulletin PACSB/XL/022, dated February 14, 2007. If any cracks are found, prior to further flight, repair the main wing aft attachment area.

**FAA AD Differences**

**Note:** This AD differs from the MCAI and/or service information as follows: No differences.

**Other FAA AD Provisions**

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Staff, FAA, ATTN: Karl Schletzbaum, Aerospace

Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4146; fax: (816) 329-4090, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. 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, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

**Related Information**

(h) Refer to the Civil Aviation Authority (CAA), which is the airworthiness authority for New Zealand AD DCA/750XL/9, dated March 29, 2007; and Pacific Aerospace Limited Mandatory Service Bulletin PACSB/XL/022, dated February 14, 2007, for related information.

Issued in Kansas City, Missouri, on June 8, 2007.

**Kim Smith,**

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

[FR Doc. E7-11589 Filed 6-14-07; 8:45 am]

**BILLING CODE 4910-13-P**

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

**[Docket No. FAA-2006-24926; Airspace Docket No. 06-ASW-1]**

**RIN 2120-AA66**

**Proposed Establishment, Modification and Revocation of VOR Federal Airways; East Central United States**

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

**ACTION:** Supplemental notice of proposed rulemaking (SNPRM).

**SUMMARY:** This SNPRM would change the description for the proposed modification of VOR Federal Airway V-133, previously published in the **Federal Register** on June 16, 2006 (71 FR 34854). This action would improve the efficient use of the navigable airspace assigned to the Chicago,

Cleveland, and Indianapolis Air Route Traffic Control Centers (ARTCC).

**DATES:** Comments must be received on or before July 30, 2007.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, 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-2006-24926 and Airspace Docket No. 06-ASW-1, at the beginning of your comments. You may also submit comments through the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Steve Rohring, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**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-2006-24926 and Airspace Docket No. 06-ASW-1) 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://dms.dot.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-2006-24926 and Airspace Docket No. 06-ASW-1." 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