

# 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 TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-29317; Directorate Identifier 2007-CE-079-AD]

RIN 2120-AA64

#### Airworthiness Directives; Cessna Aircraft Company Model 172 and 182 Series 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 certain Cessna Aircraft Company Model 172 and 182 series airplanes that are equipped with the BRS-172 and BRS-182 Parachute System. This proposed AD would require the replacement of the pick-up collar support and nylon screws for the BRS-172 and BRS-182 Parachute System. This proposed AD results from notification by Ballistic Recovery Systems, Inc. (BRS) that the pick-up collar assembly may prematurely move off the launch tube and adversely affect rocket trajectory during deployment. We are proposing this AD to prevent premature separation of the collar. This condition could result in the parachute failing to successfully deploy.

**DATES:** We must receive comments on this proposed AD by December 3, 2007.

**ADDRESSES:** Use one of the following addresses to comment on this proposed AD:

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

- *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.

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

- *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 Ballistic Recovery Systems, Inc., 300 Airport Road, South Saint Paul, MN 55075-3551; telephone: (651) 457-7491; fax: (651) 457-8651.

**FOR FURTHER INFORMATION CONTACT:** Gregory Michalik, Senior Aerospace Engineer, FAA, 2300 East Devon Avenue, Des Plaines, Illinois, 60018; telephone: (847) 294-7135; fax: (847) 294-7834; e-mail: [gregory.michalik@faa.gov](mailto:gregory.michalik@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send any written relevant data, views, or arguments regarding this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number, "FAA-2007-29317; Directorate Identifier 2007-CE-079-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light 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 concerning this proposed AD.

##### Discussion

We have been notified by Ballistic Recovery Systems, Inc. of a concern similar to that which prompted AD 2007-14-03, dated August 16, 2007, on

the Cirrus Airplane Parachute System (CAPS), where the parachute failed to successfully deploy. Testing indicates that the force of the rocket ignition and rocket blast may prematurely break the nylon pick up collar/support screws. When functioning properly the screws should not break until impacted by a flange at the rocket base. A prematurely separated collar/support may bind on the rocket as it slides down toward the flange at the base of the rocket. This may alter the direction of the rocket.

This condition, if not corrected, could result in the parachute failing to successfully deploy upon activation.

##### Relevant Service Information

We have reviewed Ballistic Recovery Systems, Inc. Service Bulletins SB 07-01, dated June 8, 2007; and SB 07-02, dated June 8, 2007. The service information describes procedures for the replacement of the pick-up collar support and screws.

##### FAA's Determination and Requirements of the Proposed AD

We are proposing this AD because we evaluated all information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design. This proposed AD would require the replacement of the pick-up collar support and screws for the BRS-172 and BRS-182 Parachute System.

The BRS-172 and BRS-182 Parachute System could also be installed on Cessna 150 series airplanes and Symphony Aircraft Industries Models OMF-100-160 and SA 160 airplanes. The corrective actions proposed in this NPRM are specific to the Cessna 172 and 182 series airplanes. We are evaluating these other BRS installations and, based on this evaluation, may consider additional rulemaking on this subject.

##### Costs of Compliance

We estimate that this proposed AD would affect 54 airplanes in the U.S. registry.

We estimate the following costs to do the proposed modification:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
1 work-hour × \$80 per hour = \$80 .....	N/A .....	\$80	\$4,320

**Note:** BRS will provide warranty credit to the extent noted in Ballistic Recovery Systems, Inc. Service Bulletins SB 07-01 and SB 07-02, both dated June 8, 2007.

**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 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 that the 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.

**Examining the AD Docket**

You may examine the AD docket that contains the proposed AD, the regulatory evaluation, any comments received, and other information 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 Docket Office (telephone (800) 647-5527) is located at the street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**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:

**Cessna Aircraft Company:** Docket No. FAA-2007-29317; Directorate Identifier 2007-CE-079-AD.

**Comments Due Date**

(a) We must receive comments on this airworthiness directive (AD) action by December 3, 2007.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to the following airplane models, all serial numbers, certificated in any category, that are equipped with:

- (1) BRS-172 Parachute System installed via Supplemental Type Certificate (STC) SA01679CH, or
- (2) BRS-182 Parachute System installed via STC SA01999CH.

Cessna 172 models	Cessna 182 models
172 .....	182
172A .....	182A
172B .....	182B
172C .....	182C
172D .....	182D
172E .....	182E
172F (USAF T-41A) .....	182F
172G .....	182G
172H (USAF T-41A) .....	182H
172I .....	182J
172K .....	182K
172L .....	182L
172M .....	182M
172N .....	182N
172P .....	182P
172Q .....	182Q
172R .....	182R
172S .....	182S
	182T
	R182
	T182
	TR182
	T182T

**Unsafe Condition**

(d) This AD results from notification by Ballistic Recovery Systems, Inc. (BRS) that the pick-up collar assembly may prematurely move off the launch tube and adversely affect rocket trajectory during deployment. We are issuing this AD to prevent premature separation of the collar. This condition could result in the parachute failing to successfully deploy.

**Compliance**

(e) To address this problem, you must do the following, unless already done:

Actions	Compliance	Procedures
Remove and replace the pick-up collar support and two retaining screws.	Within the next 25 hours time-in-service after the effective date of this AD.	(i) For Cessna Model 172 airplanes follow BRS SB 07-01, dated June 8, 2007. (ii) For Cessna Model 182 airplanes, follow BRS SB 07-02, dated June 8, 2007.

**Alternative Methods of Compliance (AMOCs)**

(f) The Manager, Chicago Aircraft Certification 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: Gregory Michalik, Senior Aerospace Engineer, FAA, 2300 East Devon Avenue, Des Plaines, Illinois 60018; telephone: (847) 294-7135; fax: (847) 294-7834; e-mail:

[gregory.michalik@faa.gov](mailto:gregory.michalik@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.

**Related Information**

(g) To get copies of the service information referenced in this AD, contact Ballistic Recovery Systems, Inc., 300 Airport Road,

South Saint Paul, MN 55075-3551; telephone: (651) 457-7491; fax: (651) 457-8651. To view the AD docket, go to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, or on the Internet at <http://www.regulations.gov>. The docket number is Docket No. FAA-2007-29317; Directorate Identifier 2007-CE-079-AD.

Issued in Kansas City, Missouri, on October 26, 2007.

**Kim Smith,**

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

[FR Doc. E7-21571 Filed 11-1-07; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### 20 CFR Part 616

RIN 1205-AB51

#### Federal-State Unemployment Compensation Program (UC); Interstate Arrangement for Combining Employment and Wages

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice of Proposed Rulemaking (NPRM); request for comments.

**SUMMARY:** The U.S. Department of Labor (Department) is proposing to amend its regulations governing combined-wage claims (CWC) filed under the Federal-State UC program. Most significantly, the Department proposes to amend the definition of “paying State.” The Department also invites comments on all issues relating to the CWC arrangement and its governing regulations.

**DATES:** To be ensured consideration, comments must be submitted in writing on or before January 2, 2008.

**ADDRESSES:** You may submit comments, identified by Regulatory Information Number (RIN) 1205-AB51, by any of the following methods:

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

- Mail: Submit comments to Thomas Dowd, Administrator, Office of Policy Development and Research, U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW., Room N-5641, Washington, DC 20210.

Because of security-related concerns, there may be a significant delay in the receipt of submissions by United States Mail. You must take this into consideration when preparing to meet the deadline for submitting comments.

- Hand Delivery/Courier: 200 Constitution Avenue, NW., Room N-5641.

The Department will post all comments received on [www.regulations.gov](http://www.regulations.gov) without making any change to the comments, including

any personal information provided. The [www.regulations.gov](http://www.regulations.gov) Web site is the Federal e-rulemaking portal and all comments posted there are available and accessible to the public. The Department recommends that commenters not include their personal information such as Social Security Numbers, personal addresses, telephone numbers, and e-mail addresses in their comments as such submitted information will become easily available to the public via the [www.regulations.gov](http://www.regulations.gov) Web site.

Comments submitted through [www.regulations.gov](http://www.regulations.gov) will not include the e-mail address of the commenter unless the commenter chooses to include that information as part of their comment. It is the responsibility of the commenter to safeguard his or her information.

**Instructions:** All submissions received must include the agency name and the RIN for this rulemaking: RIN 1205-AB51. If commenters transmit comments through the Internet and also submit a hard copy by mail, please indicate that it is a duplicate copy of the Internet transmission.

**Docket:** All comments will be available for public inspection and copying during normal business hours by contacting the Office of Policy Development and Research at (202) 693-3700. As noted above, the Department also will post all comments it receives on [www.regulations.gov](http://www.regulations.gov). This Federal eRulemaking portal is easily accessible to the public. The Department cautions the public to avoid providing personal information in your comments that you do not want to become public via the Internet, such as social security number, personal address, phone number, and e-mail address.

Copies of the proposed rule are available in alternative formats of large print and electronic file on computer disk, which may be obtained at the above-stated address. The proposed rule is available on the Internet at the Web address <http://www.doleta.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jacqui Shoholm, Director of the Division of Policy, Legislation and Regulations, Office of Policy Development and Research, Employment and Training Administration, (202) 693-3700 (this is not a toll-free number) or 1-877-889-5627 (TTY), or [Shoholm.jacqui@dol.gov](mailto:Shoholm.jacqui@dol.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

###### General

Section 3304(a)(9)(B) of the Federal Unemployment Tax Act (FUTA) (26

U.S.C. 3304(a)(9)(b)) requires each State, as a condition of participation in the Federal-State UC program, to participate in any arrangement specified by the Secretary of Labor for payment of UC on the basis of combining an individual's employment and wages in two or more States. A claim filed under this arrangement is a Combined Wage Claim or “CWC.” Section 3304(a)(9)(B), FUTA, is implemented at 20 CFR part 616. As explained in § 616.1, the purpose of the arrangement is to permit an unemployed worker with covered employment or wages in more than one State to combine all such employment and wages in one State, in order to qualify for benefits or to receive more benefits. Section 616.2 explains that, in accordance with section 3304(a)(9)(B), the arrangement was developed in consultation with the representative of the State UC agencies, currently known as the National Association of State Workforce Agencies (“NASWA”).

The arrangement provides at § 616.7(a) that any unemployed individual who had employment covered under the UC law of two or more States, whether or not he or she has earned sufficient wages to qualify for UC under one or more of them, may elect to file a CWC. Under § 616.6(e)(1), the “paying State” is the State in which the claimant files the CWC, if he or she qualifies for benefits under the UC law of that State on the basis of combined employment and wages. Section 616.6(e)(2) identifies the “paying State” when either the CWC claimant does not qualify for unemployment benefits under the UC law of the State in which he or she files the CWC or the claimant files a CWC in Canada.

Under § 616.8, the “paying State” assumes the responsibility for arranging the transfer of wages from other State(s) where wages were earned (that is, the “transferring State,” as defined at § 616.6(f)) during the “paying State's” base period (that is, the period during which wages earned are counted toward determining benefit eligibility and amount). In addition to making benefit payments to eligible individuals, the “paying State” also issues all determinations relating to eligibility for benefits based on its UC law. Section 616.9 explains the responsibilities of the transferring State to transfer the covered employment and wages of the CWC claimant to the “paying State” and reimburse the “paying State” for benefits based upon wages earned in the transferring State.

For the reasons explained below, the Department proposes to amend the definition of “paying State” in § 616.6(e) of 20 CFR, add a new paragraph (f) to