

was intended to reimburse custom harvesters for the cost of that cleaning and disinfection.

The May 2004 interim rule also provided for the payment of compensation equivalent to the value of one contract that an eligible custom harvester lost due to the downtime necessitated by cleaning and disinfection. If an eligible custom harvester did not lose a contract due to this downtime, the interim rule provided for the payment of compensation for the fixed costs he or she incurred during the time the machine was being cleaned and disinfected. The May 2004 interim rule also provided for the payment of compensation for the expenses associated with the cleaning and disinfection of other types of equipment used in the four affected counties.

The other comments we received did not address the situations addressed by the interim rule. Instead, they addressed the regulations in place before the publication of the interim rule, requesting that APHIS provide additional compensation to parties affected by the Karnal bunt quarantine regulations. Specifically, commenters stated that:

- APHIS should pay compensation for wheat grown in quarantined areas;
- Compensation for wheat should be based on the market in which the wheat farmer being compensated is accustomed to selling wheat;
- Compensation should be provided for acreage within the quarantined areas that would normally be planted with wheat but is left fallow;
- APHIS should provide compensation for more than 50 percent of the cost of decontaminating grain storage facilities and raise the \$20,000 overall limit on such compensation; and
- APHIS should provide greater compensation for seed, since seed prices are 2 to 4 times higher than local grain prices.

These comments are outside the scope of the interim rule. The provisions of the regulations addressed by these commenters were added to the regulations in a final rule published in the **Federal Register** on August 6, 2001 (66 FR 40839–40843, Docket No. 96–016–37) that established the compensation levels for the 1999–2000 crop season and subsequent years and made several other changes to the compensation regulations. For the reasons discussed in that final rule, we have determined that the present compensation provisions are appropriate.

One commenter stated that APHIS should provide compensation to seed

companies and handlers that store uncertified wheat seed that tests spore-positive for Karnal bunt.

The regulations in § 301.89–15 provide for compensation for handlers and seed companies who sell wheat grown in an area under the first regulated crop season only if the wheat was not tested by APHIS prior to purchase by the handler or seed company and found positive for Karnal bunt after purchase by the handler or seed company, as long as the price to be paid is not contingent on the test results. Compensation for such wheat will equal the estimated market price for the relevant class of wheat (meaning the type of wheat, such as durum or hard red winter), minus the actual price received by the handler or seed company. Further details are specified in paragraph (a)(2) of § 301.89–15. These provisions were in place during the 2000–2001 crop season, and thus it was not necessary to amend the regulations in the interim rule to accommodate this situation.

Therefore, for the reasons given in the interim rule and in this document, we are adopting the interim rule as a final rule without change.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, this action has been determined to be not significant for the purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

#### List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

#### PART 301—DOMESTIC QUARANTINE NOTICES

■ Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR part 301 and that was published at 67 FR 21561–21566 on May 1, 2002.

Done in Washington, DC, this 17th day of April 2008.

**Kevin Shea,**

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

[FR Doc. E8–9236 Filed 4–25–08; 8:45 am]

**BILLING CODE 3410–34–P**

#### NUCLEAR REGULATORY COMMISSION

##### 10 CFR Parts 2, 50, 51, 52, and 100

[NRC–2008–0222]

RIN 3150–AI05

#### Limited Work Authorizations for Nuclear Power Plants; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a final rule appearing in the **Federal Register** on October 9, 2007 (72 FR 57415), that amended the Nuclear Regulatory Commission's (NRC) regulations applicable to limited work authorizations (LWAs). This document is necessary to correct erroneous language to the preamble and codified language of the final rule.

**DATES:** The correction is effective April 28, 2008, and is applicable to November 8, 2007.

#### FOR FURTHER INFORMATION CONTACT:

Michael T. Lesar, Chief, Rulemaking, Directives, and Editing Branch, Division of Administrative Services, Office of Administrative, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone 301–415–7163, e-mail [Michael.Lesar@nrc.gov](mailto:Michael.Lesar@nrc.gov).

**SUPPLEMENTARY INFORMATION:** This document corrects erroneous language to the preamble and codified language of the final rule published on October 9, 2007 (72 FR 57415). Also, as published, the final regulations contain errors which may prove to be misleading and need to be clarified. The following corrects the preamble to the October 9, 2007, document.

1. On page 57427, third column, in the first paragraph, the last line is corrected to read as follows:

To ensure that the NRC has sufficient information to perform the cumulative impacts analysis in a timely fashion, the final LWA rule includes a requirement, in § 51.45(c), for the environmental report submitted by an applicant for an ESP, LWA, construction permit, or combined license to include a description of impacts of the applicant's preconstruction activities at the proposed site (i.e., the activities listed in a paragraph (2)(i) through (2)(x) in the definition of construction contained in § 51.4), that are necessary to support the construction and operation of the facility which is the subject of the ESP, LWA, construction permit, or combined license application, and an analysis of the cumulative impacts of the activities

to be authorized by the ESP, LWA, construction permit, or combined license in light of the preconstruction impacts.

2. On page 57433, third column, the last paragraph is revised to read as follows:

Section 51.4 is revised by adding a new definition of "construction," which is identical to the definition of construction in the revised § 50.10. This makes applicable throughout part 51 the definition of construction in § 50.10.

3. On page 57434, in the first column, the first paragraph is removed.

4. On page 57434, in the first column, the paragraph under § 51.45 is corrected to read as follows:

Paragraph (c) is revised by adding a new requirement requiring environmental reports for ESPs, LWAs, construction permits, and combined licenses to include a description of impacts of the applicant's preconstruction activities at the proposed site (i.e., the activities listed in paragraphs (2)(i) through (2)(x) in the definition of "construction" contained in § 51.4), that are necessary to support the construction and operation of the facility which is the subject of the ESP, LWA, construction permit, or combined license application, and an analysis of the cumulative impacts of the activities to be authorized by the ESP, LWA, construction permit, or combined license in light of the preconstruction impacts.

#### List of Subjects in 10 CFR Part 51

Administrative practice and procedure, Environmental impact statement, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements.

■ For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and 5 U.S.C. 552 and 553, the NRC is adopting the following amendment to 10 CFR part 51.

#### PART 51—ENVIRONMENTAL PROTECTION REGULATIONS FOR DOMESTIC LICENSING AND RELATED REGULATORY FUNCTIONS

■ 1. The authority citation for part 51 continues to read as follows:

**Authority:** Sec. 161, 68 Stat. 948, as amended, sec. 1701, 106 Stat. 2951, 2952, 2953, (42 U.S.C. 2201, 2297f); secs. 201, as amended, 202, 88 Stat. 1242, as amended, 1244 (42 U.S.C. 5841, 5842); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note). Subpart A also issued under National Environmental Policy Act of 1969, secs. 102, 104, 105, 83 Stat. 853–854, as amended (42 U.S.C. 4332,

4334, 4335); and Pub. L. 95–604, Title II, 92 Stat. 3033–3041; and sec. 193, Pub. L. 101–575, 104 Stat. 2835 (42 U.S.C. 2243). Sections 51.20, 51.30, 51.60, 51.80, and 51.97 also issued under secs. 135, 141, Pub. L. 97–425, 96 Stat. 2232, 2241, and sec. 148, Pub. L. 100–203, 101 Stat. 1330–223 (42 U.S.C. 10155, 10161, 10168). Section 51.22 also issued under sec. 274, 73 Stat. 688, as amended by 92 Stat. 3036–3038 (42 U.S.C. 2021) and under Nuclear Waste Policy Act of 1982, sec. 121, 96 Stat. 2228 (42 U.S.C. 10141). Sections 51.43, 51.67, and 51.109 also issued under Nuclear Waste Policy Act of 1982, sec. 114(f), 96 Stat. 2216, as amended (42 U.S.C. 10134(f)).

■ 2. In § 51.45, paragraph (c), the second complete sentence is corrected to read as follows:

#### § 51.45 Environmental report.

\* \* \* \* \*

(c) \* \* \* An environmental report prepared at the early site permit stage under § 51.50(b), limited work authorization stage under § 51.49, construction permit stage under § 51.50(a), or combined license stage under § 51.50(c) must include a description of impacts of the preconstruction activities performed by the applicant at the proposed site (i.e., those activities listed in paragraphs (2)(i) through (2)(x) in the definition of "construction" contained in § 51.4), necessary to support the construction and operation of the facility which is the subject of the early site permit, limited work authorization, construction permit, or combined license application. \* \* \*

\* \* \* \* \*

Dated at Rockville, Maryland, this 18th day of April 2008.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. E8–8890 Filed 4–25–08; 8:45 am]

**BILLING CODE 7590–01–P**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2006–25983; Directorate Identifier 2006–SW–11–AD; Amendment 39–15463; AD 2008–08–11]

**RIN 2120–AA64**

#### Airworthiness Directives; MD Helicopters, Inc. Model MD900 Series Helicopters

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) for MD Helicopters, Inc. (MDHI) Model MD900 series helicopters that requires modifying the pilot and co-pilot dual-control directional pedal assemblies, or the pilot single-control directional pedal assembly (directional control pedal assembly). This amendment is prompted by an accident which has been attributed to loss of directional control due to failure of the welds in the directional control pedal assembly. The actions specified by this AD are intended to prevent fatigue cracking in the welds that connect the directional control pedal to the pedal shaft, resulting in loss of directional control and subsequent loss of control of the helicopter.

**DATES:** Effective June 2, 2008.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 2, 2008.

**ADDRESSES:** You may get the service information identified in this AD from MD Helicopters, Inc., Attn: Customer Support Division, 4555 E. McDowell Rd., Mail Stop M615, Mesa, Arizona 85215–9734, telephone 1–800–388–3378, fax 480–346–6813, or on the Web at <http://www.mdhelicopters.com>.

*Examining the Docket:* You may examine the docket that contains this AD, any comments, and other information on the Internet at <http://www.regulations.gov> or at the Docket Operations office, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

Roger Durbin, Aviation Safety Engineer, FAA, Los Angeles Aircraft Certification Office, Airframe Branch, 3960 Paramount Blvd., Lakewood, California 90712, telephone (562) 627–5233, fax (562) 627–5210.

#### SUPPLEMENTARY INFORMATION:

A proposal to amend 14 CFR part 39 to include an AD for the specified model helicopters was published in the **Federal Register** on October 17, 2006 (71 FR 60927). That action proposed to require, for MDHI Model MD900 series helicopters, serial numbers (S/N) 900–00008 through 900–00111, 900–00113, and 900–00114, modifying the directional control pedal assembly, part number (P/N) 900C1012007–107, –109, –111, –113, or 900C6012007–111 (pilot dual control); or P/N 900C1012207–105, –107, –109, –111, or –113 (co-pilot dual control); or P/N 900C1010007–107, –109, –111, –113, or 900C6010007–111