

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 130

[Docket No. APHIS–2006–0144]

RIN 0579–AC59

#### Import/Export User Fees; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** We are correcting an error in the rule portion of a final rule that amended the regulations concerning user fees for import- and export-related services that we provide for animals, animal products, birds, germ plasm, organisms, and vectors. The final rule was published in the **Federal Register** on March 30, 2009, and is effective on April 29, 2009.

**DATES:** *Effective Date:* April 29, 2009.

**FOR FURTHER INFORMATION CONTACT:** For information concerning program operations, contact Ms. Inez Hockaday, Director, Management Support Staff, VS, APHIS, 4700 River Road Unit 44, Riverdale, MD 20737–1231, (301) 734–7517.

For information concerning user fee rate development, contact Mrs. Kris Caraher, User Fees Section Head, Financial Management Division, MRPBS, APHIS, 4700 River Road Unit 55, Riverdale, MD 20737–1232, (301) 734–0882.

**SUPPLEMENTARY INFORMATION:** On March 30, 2009, we published in the **Federal Register** (74 FR 13999–14006, Docket No. APHIS–2006–0144) a final rule that amended the regulations at 9 CFR part 130, which list user fees for import- and export-related services provided by the Animal and Plant Health Inspection Service for animals, animal products, birds, germ plasm, organisms, and

vectors. We amended the user fees for these import- and export-related services to reflect the increased cost of providing these services.

In the rule portion of the final rule in § 130.3, paragraph (a)(1), we provided a table setting out user fees for exclusive use of APHIS animal import centers for 5 years. In the table under the heading “Monthly user fee” it reads “Beginning October 1, 2013” instead of “Beginning October 1, 2012”. This document corrects that error.

#### Correction

In FR Doc. E9–7022, published on March 30, 2009 (74 FR 13999–14006), make the following correction:

#### § 130.3 [Corrected]

On page 14002, in § 130.3, paragraph (a)(1), in the table under the heading “Monthly user fee,” correct “Beginning October 1, 2013” to read “Beginning October 1, 2012”.

Done in Washington, DC, this 15th day of April 2009.

**Kevin Shea,**

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

[FR Doc. E9–9104 Filed 4–20–09; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 145

[Docket No. APHIS–2007–0042]

RIN 0579–AC78

#### National Poultry Improvement Plan and Auxiliary Provisions; Correcting Amendment

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

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** In a final rule that was published in the **Federal Register** on April 1, 2009 (74 FR 14710–14719, Docket No. APHIS–2007–0042), and effective on May 1, 2009, we amended the National Poultry Improvement Plan (the Plan) and its auxiliary provisions by providing new or modified sampling and testing procedures for Plan participants and participating flocks. In

that final rule, we amended a section in the Plan to include additional tests for avian influenza, but we neglected to amend the heading of that section to indicate that it now contains some tests that are not blood tests. This document corrects that error.

**DATES:** *Effective Date:* May 1, 2009.

**FOR FURTHER INFORMATION CONTACT:** Mr. Andrew R. Rhorer, Senior Coordinator, Poultry Improvement Staff, National Poultry Improvement Plan, Veterinary Services, APHIS, USDA, 1498 Klondike Road, Suite 101, Conyers, GA 30094–5104; (770) 922–3496.

#### SUPPLEMENTARY INFORMATION:

##### Background

In a final rule that was published in the **Federal Register** on April 1, 2009 (74 FR 14710–14719, Docket No. APHIS–2007–0042), and effective on May 1, 2009, we amended the National Poultry Improvement Plan (the Plan) and its auxiliary provisions by providing new or modified sampling and testing procedures for Plan participants and participating flocks. The regulations in 9 CFR parts 145, 146, and 147 contain the provisions of the Plan.

We added new tests for avian influenza to the regulations in 9 CFR part 145, which contains provisions for Plan participation by breeding flocks. The section that contains these new avian influenza tests and other tests, § 145.14, has been headed “Blood testing.” However, the section now contains some tests that are not blood tests, meaning the section heading is no longer accurate. Therefore, we are amending the section heading to read “Testing.”

##### List of Subjects in 9 CFR Part 145

Animal diseases, Poultry and poultry products, Reporting and recordkeeping requirements.

■ Accordingly, we are amending 9 CFR part 145 as follows:

#### PART 145—NATIONAL POULTRY IMPROVEMENT PLAN FOR BREEDING POULTRY

■ 1. The authority citation for part 145 continues to read as follows:

**Authority:** 7 U.S.C. 8301–8317; 7 CFR 2.22, 2.80, and 371.4.

■ 2. Section 145.14 is amended by revising the section heading to read as follows:

§ 145.14 Testing.

\* \* \* \* \*

Done in Washington, DC, this 15th day of April 2009.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E9-9098 Filed 4-20-09; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF ENERGY

10 CFR Part 835

[Docket No. HS-RM-09-835]

RIN 1901-AA95

Occupational Radiation Protection; Correction

AGENCY: Department of Energy.

ACTION: Final rule; correcting amendments.

SUMMARY: The Department of Energy (DOE) corrects two errors in its Occupational Radiation Protection regulations. One error originated in a final rulemaking (FR Doc. 98-27366), which was published in the Federal Register of Wednesday, November 4, 1998 (63 FR 59661). The second error originated in a final rulemaking (FR Doc. E7-10477), which was published in the Federal Register of Friday, June 8, 2007 (72 FR 31903).

DATES: Effective Date: April 21, 2009.

FOR FURTHER INFORMATION CONTACT: Judith Foulke, (301) 903-5865, e-mail: Judy.Foulke@hq.doe.gov.

SUPPLEMENTARY INFORMATION:

Background

DOE first published title 10, Code of Federal Regulations, part 835, Occupational Radiation Protection (part 835), as a final rule on December 14, 1993. In the November 4, 1998, amendment to part 835, DOE, in part, revised footnote 1 to appendix D. The revised footnote references an exception noted in footnote 5. The exception is actually found in footnote 6. When DOE proposed amending part 835 on August 10, 2006, DOE proposed correcting this error; however, in the final rule amending part 835 on June 8, 2007, the correction was not made. Accordingly, footnote 1 needs to be revised to reference the exception in footnote 6.

When DOE proposed amending part 835 on August 10, 2006, DOE proposed revising the definition of "absorbed

dose" to read: "Absorbed dose (D) means the average energy absorbed by matter from ionizing radiation per unit mass of irradiated material. The absorbed dose is expressed in units of rad (or gray) (1 rad = 0.01 gray)." During the public comment period, a comment was received that the definition should be changed from "energy absorbed by matter" to "energy imparted." As noted in the preamble to the June 8, 2007, amendment, DOE agreed with the comment and revised the definition to read: "Absorbed dose (D) means the average energy imparted by ionizing radiation to the matter in a volume element. The absorbed dose is expressed in units of rad (or gray) (1 rad = 0.01 gray)." In making this revision, the phrase "per unit mass of irradiated material" was inadvertently deleted from the end of the first sentence.

Need for Corrections

This correction revises the definition of "absorbed dose" and changes the reference to footnote 6 in footnote 1 of appendix D to part 835.

List of Subjects in 10 CFR Part 835

Federal buildings and facilities, Nuclear energy, Nuclear materials, Nuclear power plants and reactors, Nuclear safety, Occupational safety and health, Radiation protection, and Reporting and recordkeeping requirements.

■ Accordingly, 10 CFR part 835 is corrected by making the following correcting amendments:

PART 835—OCCUPATIONAL RADIATION PROTECTION

■ 1. The authority citation for part 835 continues to read as follows:

Authority: 42 U.S.C. 2201, 7191; 50 U.S.C. 2410.

■ 2. In § 835.2(b), the definition of "absorbed dose" is corrected to read as follows:

§ 835.2 Definitions.

\* \* \* \* \*

(b) \* \* \*

Absorbed dose (D) means the average energy imparted by ionizing radiation to the matter in a volume element per unit mass of irradiated material. The absorbed dose is expressed in units of rad (or gray) (1 rad = 0.01 gray).

\* \* \* \* \*

■ 3. In appendix D, footnote 1 of the table is corrected to read as follows:

Appendix D to Part 835—Surface Contamination Values

\* \* \* \* \*

<sup>1</sup> The values in this appendix, with the exception noted in footnote 6 below, apply to radioactive contamination deposited on, but not incorporated into the interior or matrix of, the contaminated item. Where surface contamination by both alpha- and beta-gamma-emitting nuclides exists, the limits established for alpha- and beta-gamma-emitting nuclides apply independently.

\* \* \* \* \*

Issued in Washington, DC, on April 13, 2009.

Glenn S. Podonsky,

Chief Health, Safety and Security Officer, Office of Health, Safety and Security.

[FR Doc. E9-9097 Filed 4-20-09; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-0126; Directorate Identifier 2009-CE-003-AD; Amendment 39-15884; AD 2009-08-11]

RIN 2120-AA64

Airworthiness Directives; PILATUS AIRCRAFT LTD. Models PC-12 and PC-12/45 Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued 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:

This Airworthiness Directive (AD) is prompted by some occurrences where the Deice Pressure Regulator has vented too much hot air into the forward compartment damaging the oxygen cylinder ON/OFF cable, the Ram-Air Scoop cable and the Environmental Control System (ECS) firewall shut-off valve cable.

If incorrectly adjusted, or defective, the Deice Pressure Regulator can vent hot air into the forward compartment. This situation can cause overheating and failures of components located inside the forward compartment, which could result in potential loss of several functions essential for safe flight.

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective May 26, 2009.

On May 26, 2009, the Director of the Federal Register approved the