

(Act) (7 U.S.C. Section 4501, *et seq.*) authorized a national dairy producer program designed to develop and finance promotion, research, and nutrition education programs to maintain and expand markets and uses for milk and dairy products in the contiguous 48 States. The program is conducted under the Dairy Promotion and Research Order (7 CFR part 1150).

The program became effective on May 1, 1984, when the Order was issued. The National Dairy Promotion and Research Program is funded by a mandatory assessment of 15 cents per hundredweight on all milk produced in the 48 contiguous states and marketed commercially. Producers can receive a credit of up to 10 cents a hundredweight for payments made to any State or regional dairy product promotion, research or nutrition education programs which are certified as qualified programs pursuant to the Order.

The Order provides for the establishment of the National Dairy Promotion and Research Board (Dairy Board) that is composed of 36 members appointed by the Secretary of Agriculture. Each member represents 1 of 13 Regions in the 48 contiguous States. The members of the Dairy Board serve 3-year terms and are eligible to be appointed to 2 consecutive terms.

AMS published in the **Federal Register** its plan (64 FR 8014, February 18, 1999), and later its updated plan (68 FR 48574, August 14, 2003), to review certain regulations using criteria contained in Section 610 of the RFA (5 U.S.C. 601–612). Given that many AMS regulations impact small entities, AMS decided as a matter of policy to review certain regulations which, although they may not meet the threshold requirement under Section 610 of the RFA, warrant review. Accordingly, this notice and request for comments is made for the National Dairy Promotion and Research Program (conducted under the Dairy Promotion and Research Order).

The purpose of the review is to determine whether the Order should be continued without change, amended, or rescinded (consistent with the objectives of the Act) to minimize any significant economic impact of rules upon a substantial number of small entities. AMS will consider the continued need for the Order; the nature of complaints or comments received from the public concerning the Order; the complexity of the Order; the extent to which the Order overlaps, duplicates, or conflicts with other Federal rules and, to the extent feasible, with State and local government rules; and the length of time since the Order has been

evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the Order.

Written comments, views, opinions, and other information regarding the Order's impact on small businesses are invited.

Dated: February 23, 2006.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 06–1854 Filed 2–27–06; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2006–23888; Directorate Identifier 2005–SW–03–AD]

RIN 2120–AA64

#### **Airworthiness Directives; Eurocopter France Model AS350B, BA, B1, B2, B3, C, D, and D1 Helicopters**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes adopting a new airworthiness directive (AD) for Eurocopter France (Eurocopter) Model AS350B, BA, B1, B2, B3, C, D, and D1 helicopters that have a Geneva Aviation, Inc. (Geneva) P132 console (console) installed. This proposal would require installing right and left side Geneva cyclic control sticks and modifying the cyclic grips and the co-pilot cyclic stand (receptacle). This proposal is prompted by reports that pilots had restricted cyclic stick travel when using Eurocopter factory-installed cyclic sticks in a helicopter that has been modified in accordance with a certain Supplemental Type Certificate (STC) for the installation of a Geneva P132 console. The actions specified by this proposed AD are intended to prevent restricting full lateral movement of the cyclic control during high lateral center of gravity (CG) load operations in high cross winds and during slope takeoffs or landings, and subsequent loss of control of the helicopter.

**DATES:** Comments must be received on or before May 1, 2006.

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

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the

instructions for sending your comments electronically;

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically;

- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590;

- Fax: 202–493–2251; or
- Hand Delivery: Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may get the service information identified in this proposed AD from Geneva Aviation, Inc., 20021–80th Avenue Ave. South, Kent, Washington 98032; telephone: (800) 546–2210; fax: (800) 546–2220; Internet: <http://www.GenevaAviation.com>.

You may examine the comments to this proposed AD in the AD docket on the Internet at <http://dms.dot.gov>.

#### **FOR FURTHER INFORMATION CONTACT:**

Vince Massey, Aviation Safety Engineer, FAA, Seattle Aircraft Certification Office, Systems and Equipment Branch, 1601 Lind Ave. SW., Renton, Washington 98055–4056; telephone (425) 917–6475, fax (425) 917–6590.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

We invite you to submit any written data, views, or arguments regarding this proposed AD. Send your comments to the address listed under the caption **ADDRESSES**. Include the docket number “FAA–2006–23888, Directorate Identifier 2005–SW–03–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://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed rulemaking. Using the search function of our docket Web site, you can find and read the comments to any of our dockets, including the name of the individual who sent or signed the comment. You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78), or you may visit <http://dms.dot.gov>.

### Examining the Docket

You may examine the docket that contains the proposed AD, any comments, and other information in person at the Docket Management System (DMS) Docket Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5227) is located at the plaza level of the Department of Transportation NaSSIF Building in Room PL-401 at 400 Seventh Street, SW., Washington, DC. Comments will be available in the AD docket shortly after the DMS receives them.

### Discussion

Geneva has issued Service Bulletin GA107-7, dated June 14, 2005, which describes a condition that pilots may encounter regarding restricted cyclic control stick movement in helicopters that have a Geneva P132 console installed in accordance with STC No. SH4747NM. The Geneva center console is wider than the factory-installed Eurocopter console and may limit lateral cyclic movement under certain conditions. After issuance of the original STC for the wider Geneva center console, the FAA discovered that it limited the left lateral cyclic movement from the right seat and the right lateral cyclic movement from the left seat position. Therefore, the STC was revised to include a redesigned right and left cyclic stick. The right-side cyclic stick has been redesigned so that the neutral position of that cyclic control stick is offset 1" to the right and the left-side cyclic control stick is offset 1" to the left of the neutral position when compared to the original design of the helicopter. However, this redesign reduces the available lateral movement area to the right side of the right-seated pilot and the left side of the left-seated co-pilot. This may be more critical on the right side of the right-seated pilot because the cyclic grip flange is also on the right side of the cyclic stick. Therefore, during a large lateral cyclic movement to the right, the cyclic grip flange may contact the right-seated pilot's leg, thereby further limiting right cyclic movement. In helicopters with dual cyclic controls, even though it is less limiting because of the left cyclic offset, the right-sided cyclic grip flange contacting the right leg of the left-seated co-pilot may also limit right lateral cyclic movement. This reduced movement may not be noticed except during operations requiring cyclic movements near lateral limits (such as with a substantial lateral CG load, in high crosswinds, or during slope

takeoffs and landings). The service bulletin specifies replacing the Eurocopter factory-installed pilot (right-side) cyclic stick and co-pilot (left-side) cyclic stick with a Geneva-manufactured right-side cyclic stick, part number (P/N) G12316-26, and left-side cyclic stick, P/N G12324-26. For cyclic sticks that have a "Bendix" cyclic grip without any cyclic grip flange, which has a 90-degree bend at the top of the cyclic stick, the service bulletin specifies replacing the Eurocopter factory-installed pilot and co-pilot cyclic sticks with a Geneva-manufactured right-side cyclic stick, P/N G12425-26, and left-side cyclic stick, P/N G12426-26 respectively. The service bulletin also specifies modifications of the flange at the base of the cyclic grips and the co-pilot cyclic stand (receptacle) to prevent inadvertent installation of the factory original co-pilot cyclic stick.

These helicopter models are manufactured in France and are type certificated for operation in the United States under the provisions of 14 CFR 21.29 and the applicable bilateral agreement. We have reviewed all available information and determined that AD action is necessary for products of these type designs, which have been modified in accordance with STC No. SH4747NM, that are certificated for operation in the United States.

This unsafe condition concerning the cyclic control is likely to exist or develop on other helicopters of the same type designs that have been modified in accordance with STC No. SH4747NM with the installation of a Geneva P132 console and are registered in the United States. Therefore, the proposed AD would require, within 60 days, replacing the left- and right-side cyclic control sticks; modifying the cyclic grip on both cyclic control sticks by removing a portion of the hand-support flange; and modifying the co-pilot cyclic stand (receptacle) to allow future installations of only the appropriate Geneva cyclic control sticks. The actions would be required to be done in accordance with the specified portions of the service bulletin described previously.

We estimate that this proposed AD would affect 122 helicopters of U.S. registry and the proposed actions would take approximately 14 work hours per helicopter to accomplish at an average labor rate of \$65 per work hour. The Geneva cyclic sticks cost about \$300 each or \$600 per set. Geneva, the manufacturer of the console, has stated that it will supply left- and right-side cyclic sticks at no charge to current owners of Geneva P132 consoles,

regardless of when they purchased the console. Based on these figures, we estimate the total cost impact of the proposed AD on U.S. operators to be \$184,220 to do the replacements and modifications on all 122 helicopters in the fleet, or \$111,020 assuming the cyclic sticks are provided at no cost to operators.

### Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. Additionally, 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 draft economic evaluation of the estimated costs to comply with this proposed AD. See the DMS to examine the draft economic evaluation.

### 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.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

## The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

**Eurocopter France:** Docket No. FAA-2006-23888; Directorate Identifier 2005-SW-03-AD.

**Applicability:** Model AS350B, BA, B1, B2, B3, C, D, and D1 helicopters, with a Geneva Aviation, Inc. (Geneva) P132 Console installed in accordance with Supplemental Type Certificate No. SH4747NM, certificated in any category.

**Compliance:** Required within 60 days, unless accomplished previously.

To prevent restricting full lateral movement of the cyclic control during high lateral center of gravity (CG) load operations in high cross winds and during slope takeoffs or landings, and subsequent loss of control of the helicopter, accomplish the following:

(a) Remove the Eurocopter France installed pilot (right-side) and co-pilot (left-side) cyclic control sticks in accordance with paragraph 2.1 of the Instructions section of Geneva Aviation, Inc. Service Bulletin GA107-7, dated June 14, 2005 (SB).

(1) Install Geneva-manufactured cyclic control sticks, part number (P/N) G12316-26 (right side) and P/N G12324-26 (left side), or

(2) For installations with a "Bendix" cyclic grip, which has a 90-degree bend at the top of the cyclic control stick, install Geneva-manufactured cyclic control sticks, P/N G12425-26 (right side) and P/N G12426-26 (left side).

(b) If the base of the cyclic grip has a flange to help support the pilot's hand, modify both the pilot and co-pilot cyclic control grips by removing a 3/8 inch section of the flange in accordance with paragraph 2.2 of the Instructions section of the SB.

(c) Modify the co-pilot cyclic control stand (receptacle) by installing a blind rivet in accordance with paragraph 2.3 of the Instructions section of the SB.

(d) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Contact the Manager, Seattle Aircraft Certification Office, FAA, ATTN: Vince Massey, 1601 Lind Ave. SW., Renton, Washington 98055-4056; telephone (425) 917-6475, fax (425) 917-6590, for information about previously approved alternative methods of compliance.

Issued in Fort Worth, Texas, on February 2, 2006.

**David A. Downey,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. E6-2759 Filed 2-27-06; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2006-23590; Airspace Docket 06-ASO-2]

#### Proposed Establishment of Class D Airspace; Bay St. Louis, MS

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to establish Class D airspace at Bay St. Louis, MS. A federal contract tower with a weather reporting system is being constructed at Stennis International Airport. Therefore, the airport will meet criteria for Class D airspace. Class D surface area airspace is required when the control tower is open to contain Standard Instrument Approach Procedures (SIAPs) and other Instrument Flight Rules (IFR) operations at the airport. This action would establish Class D airspace extending upward from the surface to and including 2,500 feet MSL within a 4.2-mile radius of the airport.

**DATES:** Comments must be received on or before March 30, 2006.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2006-23590 Airspace Docket No. 06-ASO-2, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NaSSIF Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, Room 550, 1701

Columbia Avenue, College Park, Georgia 30337.

**FOR FURTHER INFORMATION CONTACT:** Mark D. Ward, Manager, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5627.

#### 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 development 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 number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2006-23590/Airspace Docket No. 06-ASO-2." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at <http://www.faa.gov> or the Superintendent of Document's Web page at <http://www.access.gpo.gov/nara>. Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future