

Dated: April 2, 2008.

Lloyd C. Day,

Administrator, Agricultural Marketing Service.

[FR Doc. 08-1109 Filed 4-3-08; 1:02 pm]

BILLING CODE 3410-02-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2008-0392; Directorate Identifier 2008-CE-022-AD; Amendment 39-15451; AD 2008-07-10]

2120-AA64

#### Airworthiness Directives; Hawker Beechcraft Corporation Models B200, B200GT, B300, and B300C Airplanes

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Hawker Beechcraft Corporation (HBC) Models B200, B200GT, B300, and B300C airplanes. This AD requires you to fabricate and install a placard incorporating information that limits operation when there is known or forecast icing and requires you to replace a section of the pneumatic supply tube for the tail deice system with a new tube of a different material. This AD results from reports of collapsed tail deice boot pneumatic supply tubes. We are issuing this AD to prevent collapsed pneumatic supply tubes, which could result in failure of the tail deice boots to operate. This failure could lead to loss of control in icing conditions.

**DATES:** This AD becomes effective on April 10, 2008.

On April 10, 2008 the Director of the **Federal Register** approved the incorporation by reference of certain publications listed in this AD.

We must receive any comments on this AD by June 6, 2008.

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

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

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

- *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.

- *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.

To get the service information identified in this AD, contact Hawker Beechcraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or (316) 676-3140.

To view the comments to this AD, go to <http://www.regulations.gov>. The docket number is FAA-2008-0392; Directorate Identifier 2008-CE-022-AD.

**FOR FURTHER INFORMATION CONTACT:** Don Ristow, Aerospace Engineer, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: (316) 946-4120; fax: (316) 946-4107.

#### SUPPLEMENTARY INFORMATION:

##### Discussion

We received information of reports of collapsed pneumatic tubes, which supply pressure and vacuum to the horizontal stabilizer deice boots. With the introduction of an improved environmental control system, a section of the pneumatic deice tube located in the aft evaporator bay is subject to higher than normal temperature. This high heat in the aft evaporator bay may cause the tubing to soften and collapse undetected and permanently block flow to and from the deice boots.

The pilot's operating handbook specifies to visually check deicing boots, where possible, for inflation and hold down function when ice protection equipment is required. However, the tail deice boots are not visible from the cockpit during the check.

Since the collapse of the pneumatic deice supply tube is caused by the use of cabin heat, there is the possibility that the condition could occur after pre-flight verification of operation. Icing conditions and the use of cabin heat would be a normal operational mode.

In February 2008, HBC issued a safety communique to inform flight crews of the potential for collapsed pneumatic supply tubes and recommended flight crews avoid flight into icing conditions.

This condition, if not corrected, could result in failure of the tail deice boots to operate. This failure could lead to loss of control in icing conditions.

##### Relevant Service Information

We reviewed Hawker Beechcraft Mandatory Service Bulletin SB 30-3889, Issued: March 2008. The service information describes procedures for replacement of tail deice boot pneumatic supply tubes.

#### FAA's Determination and Requirements of This AD

We are issuing this AD because we evaluated all the information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design. This AD requires you to fabricate and install a placard incorporating information that limits operation when there is known or forecast icing and requires you to replace a section of the pneumatic supply tube for the tail deice system with a new tube of a different material. The replacement of the tail deice boot pneumatic supply tubes is terminating action for the operation limitations in known or forecast icing.

In preparing this rule, we contacted type clubs and aircraft operators to get technical information and information on operational and economic impacts. We did not receive any information through these contacts. If received, we would have included a discussion of any information that may have influenced this action in the rulemaking docket.

#### FAA's Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because this condition could result in failure of the tail deice boots to operate. This failure could lead to loss of control in icing conditions. Therefore, we determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists for making this amendment effective in fewer than 30 days.

#### Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and an opportunity for public comment. We invite you to send any written relevant data, views, or arguments regarding this AD. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number "FAA-2008-0392; Directorate Identifier 2008-CE-022-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the AD. We will consider all comments received by the closing date and may amend the AD in light of those comments.

We will post all comments we receive, without change, to <http://>

[www.regulations.gov](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 AD.

**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 AD will not have federalism implications under Executive Order 13132. This AD will 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 this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866;
- (2) Is not a "significant rule" under 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 AD and placed it in the AD docket.

**Examining the AD Docket**

You may examine the AD docket that contains the 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, Incorporation by reference, Safety.

**Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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 airworthiness directive (AD):

**2008-07-10 Hawker Beechcraft**

**Corporation:** Amendment 39-15451; Docket No. FAA-2008-0392; Directorate Identifier 2008-CE-022-AD.

**Effective Date**

- (a) This AD becomes effective on April 10, 2008.

**Affected ADs**

- (b) None.

**Applicability**

- (c) This AD applies to the following airplane models and serial numbers that are certificated in any category:

Model	Serial Nos.
B200 .....	BB-1926, BB-1978, and BB-1988 through BB-2000.
B200GT ...	BY-1 through BY-26.
B300 .....	FL-427, FL-493, and FL-500 through FL-573.
B300C .....	FM-14 through FM-18.

**Unsafe Condition**

- (d) This AD is the result of reports of collapsed tail deice boot pneumatic supply tubes. We are issuing this AD to prevent collapsed pneumatic supply tubes, which could result in failure of the tail deice boots to operate. This failure could lead to loss of control in icing conditions.

**Compliance**

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

Actions	Compliance	Procedures
(1) Fabricate a placard (using at least 1/8-inch letters) with the following words and install the placard on the instrument panel within the pilot's clear view: "THIS AIRPLANE IS PROHIBITED FROM FLIGHT IN KNOWN OR FORECAST ICING".	Before further flight in known or forecast icing conditions or within the next 3 days after April 10, 2008 (the effective date of this AD), whichever occurs first.	The owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7) may fabricate the placard required in paragraph (e)(1) of this AD. Make an entry into the aircraft records showing compliance with these portions of the AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9). Follow Hawker Beechcraft Mandatory Service Bulletin SB 30-3889, Issued: March 2008.
(2) Replace the tail deice boot pneumatic supply tubes using Kit No. 130-9701-0003 for Models B200 and B200GT or Kit No. 130-9701-0001 for Models B300 and B300C. The replacement of tail deice boot pneumatic supply tubes required by paragraph (e)(2) of this AD is terminating action for the placard required by paragraph (e)(1) of this AD.	Within 25 hours time-in-service (TIS) after April 10, 2008 (the effective date of this AD) or within 3 months after April 10, 2008 (the effective date of this AD), whichever occurs first.	

Actions	Compliance	Procedures
(3) Remove the placard required by paragraph (e)(1) of this AD.	Before further flight after the replacement of tail deice boot pneumatic supply tubes required by paragraph (e)(2) of this AD.	The owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7) may remove the placard required in paragraph (e)(1) of this AD. Make an entry into the aircraft records showing compliance with these portions of the AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

**Alternative Methods of Compliance (AMOCs)**

(f) The Manager, Wichita Aircraft Certification Office (ACO), 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: Don Ristow, Aerospace Engineer, Wichita ACO, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: (316) 946-4120; fax: (316) 946-4107. 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) Hawker Beechcraft Safety Communique No. 290, dated: February 2008, pertains to the subject of this AD.

**Material Incorporated by Reference**

(h) You must use Hawker Beechcraft Mandatory Service Bulletin SB 30-3889, Issued: March 2008, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Hawker Beechcraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or (316) 676-3140.

(3) You may review copies at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Kansas City, Missouri 64106; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Kansas City, Missouri, on March 27, 2008.

**John Colomy,**

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

[FR Doc. E8-6959 Filed 4-4-08; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 9387]

**RIN 1545-AY75**

**Application of Normalization Accounting Rules to Balances of Excess Deferred Income Taxes and Accumulated Deferred Investment Tax Credits of Public Utilities Whose Assets Cease To Be Public Utility Property; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correcting amendment.

**SUMMARY:** This document contains a correction to final regulations (TD 9387) that were published in the **Federal Register** on Thursday, March 20, 2008 (73 FR 14934), providing guidance on the normalization requirements applicable to public utilities that benefit (or have benefited) from accelerated depreciation methods or from the investment tax credit permitted under pre-1991 law. These regulations permit a utility whose assets cease, whether by disposition, deregulation, or otherwise, to be public utility property with respect to the utility (deregulated public utility property) to return to its ratepayers the normalization reserve for excess deferred income taxes (EDFIT) with respect to those assets and, in certain circumstances, also permit the return of part or all of the reserve for accumulated deferred investment tax credits (ADITC) with respect to those assets.

**DATES:** This correction is effective April 7, 2008.

**FOR FURTHER INFORMATION CONTACT:** Patrick Kirwan, (202) 622-3040 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are the subject of this document are under

sections 46 and 168 of the Internal Revenue Code.

**Need for Correction**

As published, final regulations (TD 9387) contain an error that may prove to be misleading and is in need of clarification.

**List of Subjects in 26 CFR Part 1**

Income taxes, Reporting and recordkeeping requirements.

**Correction of Publication**

■ Accordingly, 26 CFR part 1 is corrected by making the following correcting amendment:

**PART 1—INCOME TAXES**

■ **Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*

■ **Par. 2.** Section 1.46-6 is amended by revising paragraph (k)(2)(i) to read as follows:

**§ 1.46-6 Limitation in case of certain regulated companies.**

\* \* \* \* \*

(k) \* \* \*

(2) \* \* \*

(i) *Restoration of rate base reduction.* A Restoration in the taxpayer's rate base on account of the credit with respect to public utility property that becomes deregulated public utility property is restored ratably during the period after the property becomes deregulated public utility property if the amount of the reduction remaining to be restored does not, at any time during the period, exceed the restoration percentage of the recoverable stranded cost of the property at such time.

For this purpose —

\* \* \* \* \*

**LaNita Van Dyke,**

*Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. E8-7226 Filed 4-4-08; 8:45 am]

**BILLING CODE 4830-01-P**