

(d) The Cooperator shall promptly refund any balance of unobligated cash advanced or paid by the REE Agency that it is not authorized to retain for use in other projects. OMB Circular A-129 governs unreturned amounts that become delinquent debts.

(e) When authorized by the terms and conditions of the award, the REE Agency shall make a settlement for any upward or downward adjustments to the Federal share of costs after closeout reports are received.

(f) The Cooperator shall account for any personal property acquired with Federal funds or received from the Federal Government in accordance with § 550.36 through § 550.42.

(g) In the event a final audit has not been performed prior to the closeout of an award, the REE Agency shall retain the right to recover an appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit.

#### **§ 550.61 Subsequent adjustments and continuing responsibilities.**

The closeout of an award does not affect any of the following.

(a) The right of the REE Agency to disallow costs and recover funds on the basis of a later audit or other review.

(b) The obligation of the Cooperator to return any funds due as a result of later refunds, corrections, or other transactions.

(c) Audit requirements in § 550.24.

(d) Property management requirements in § 550.36 through § 550.42.

(e) Records retention as required in § 550.56.

#### **§ 550.62 Collection of amounts due.**

(a) Any funds paid to a Cooperator in excess of the amount to which the Cooperator is finally determined to be entitled under the terms and conditions of the award constitute a debt to the Federal Government. If not paid within a reasonable period after the demand for payment, the REE Agency may in accordance with 7 CFR Part 3, reduce the debt by—

(1) Making an administrative offset against other requests for reimbursements or

(2) Withholding advance payments otherwise due to the Cooperator, or

(3) Taking other action permitted by statute.

(b) Except as otherwise provided by law, the REE Agency shall charge interest on an overdue debt in accordance with 31 CFR Part 900, "Federal Claims Collection Standards."

Dated: July 5, 2007.

**Edward B. Knipling,**

*Administrator, Agricultural Research Service.*

[FR Doc. E7-13550 Filed 7-25-07; 8:45 am]

**BILLING CODE 3410-03-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2007-28432; Directorate Identifier 2007-CE-051-AD]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Thrush Aircraft, Inc. Models S2R 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 Thrush Aircraft, Inc. (Thrush) Model S2R series airplanes. This proposed AD would require repetitive visual inspections of the vertical and horizontal stabilizer attach fitting, attach fitting bolts, and the vertical fin aft spar for cracks or corrosion and require immediate replacement of cracked or corroded parts and eventual replacement if no cracks or corrosion is found as terminating action for the repetitive inspections. This proposed AD results from reports of cracks in the empennage of Thrush S2R series airplanes. We are proposing this AD to detect and correct these cracks, which could cause the vertical stabilizer to lose structural integrity. This condition could lead to loss of control.

**DATES:** We must receive comments on this proposed AD by September 24, 2007.

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

- *DOT Docket Web site:* Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- *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.

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

For service information identified in this proposed AD, contact: Thrush Aircraft, Inc., P.O. Box 3149, 300 Old Pretoria Road, Albany, Georgia 31706-3149; telephone: 229-883-1440; facsimile: 229-436-4856; or on the Internet at: <http://www.thrushaircraft.com>.

#### **FOR FURTHER INFORMATION, CONTACT ONE OF THE FOLLOWING:**

—Cindy Lorenzen, Aerospace Engineer, ACE-115A, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Blvd., Suite 450, Atlanta, Georgia 30349; telephone: (770) 703-6078; facsimile: (770) 703-6097; e-mail: [cindy.lorenzen@faa.gov](mailto:cindy.lorenzen@faa.gov); or  
—Mike Cann, Aerospace Engineer, ACE-117A, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Blvd., Suite 450, Atlanta, Georgia 30349; telephone: (770) 703-6038; facsimile: (770) 703-6097; e-mail: [michael.cann@faa.gov](mailto:michael.cann@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-2007-28432; Directorate Identifier 2007-CE-051-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 we receive concerning this proposed AD.

##### **Discussion**

We have received reports of cracks in the empennage of Thrush S2R series airplanes. Cracks may occur in the vertical stabilizer attach fitting, the horizontal stabilizer attach fitting, attach fitting bolts, and/or the vertical fin aft spar on airplanes with metal empennages. A metallurgy report suggests stress corrosion cracking is the

cause of these cracks. A report was received from the field that a 5/16-inch vertical attach bolt, part number (P/N) NAS1105-68, was found broken in two places, causing the rear spar of the vertical fin to crack. A separate incident found the attach fitting on the stabilizer itself cracked in both lugs from stress corrosion.

This condition, if not corrected, could cause the vertical stabilizer to lose structural integrity. This condition could lead to loss of control.

#### Relevant Service Information

We have reviewed Thrush Aircraft, Inc., Service Bulletin No. SB-AG-45, Revision B, dated June 1, 2007. The service information describes procedures for inspecting and upgrading the fin spar and attach fittings.

#### 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 repetitive visual inspections of the vertical and horizontal stabilizer attach fitting, attach fitting bolts, and the vertical fin aft spar for cracks or corrosion and require immediate replacement of cracked or corroded parts and eventual replacement if no cracks or corrosion is found as terminating action for the repetitive inspections.

#### Differences Between This Proposed AD and the Service Information

Thrush Aircraft, Inc. SB-AG-45, Revision B, dated June 1, 2007, recommends an immediate initial inspection. We consider immediately

upon receipt action to be an urgent safety of flight compliance time. Because our risk assessment does not indicate this unsafe condition to be an urgent safety of flight condition, we propose to require an initial inspection within the next 50 hours time-in-service (TIS). The initial inspection time of 50 hours TIS is an adequate compliance for this AD action and meets the FAA requirements of an NPRM.

We propose to require a terminating action of replacing the parts within the next 2 years or 2,000 hours TIS, whichever occurs first. This is recommended because there is historic evidence that inspections alone can eventually miss detecting a crack.

#### Costs of Compliance

We estimate that this proposed AD would affect 910 airplanes in the U.S. registry.

We estimate the following costs to do the proposed inspection:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
8 work-hours × \$80 per hour = \$640 .....	Not applicable .....	\$640	\$582,400

We estimate the following costs to do any necessary replacements of the vertical fin aft spar that would be

required based on the results of the proposed inspection. We have no way of

determining the number of airplanes that may need this replacement:

Labor cost	Parts cost	Total cost per airplane
12 work-hours × \$80 per hour = \$960 .....	\$3,800	\$4,760

We estimate the following costs to replace the vertical and horizontal

stabilizer attach fittings and attachment bolt:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
30 work-hours × \$80 per hour = \$2,400 .....	\$1,550	\$3,950	\$3,594,500

#### 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://dms.dot.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:

**Thrush Aircraft, Inc.:** Docket No. FAA-2007-28432; Directorate Identifier 2007-CE-051-AD.

**Comments Due Date**

(a) We must receive comments on this airworthiness directive (AD) action by September 24, 2007.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to the following airplane models and serial numbers that are certificated in any category and are equipped with metal empennage part numbers (P/N) 40220 or 95400 (applies to serial numbers with or without a "DC" suffix):

Model	Serial Nos.
(1) S2R .....	1416R through 5100R.
(2) S2R-R1340 .....	R1340-001 through R1340-035.
(3) S2R-R1820 .....	R1820-001 through R1820-036.
(4) S2R-T11 .....	T11-001 through T11-005.
(5) S2R-T15 .....	T15-001 through T15-044 and T27-001 through T27-044.
(6) S2R-T34 .....	6000 through 6049, T34-001 through T34-279, T36-001 through T36-279, T41-001 through T41-279, T42-001 through T42-279.
(7) S2RHG-T34 .....	T34HG-101 through T34HG-107.
(8) S2R-T45 .....	T45-001 through T45-015.
(9) S2R-T65 .....	T65-001 through T65-018.
(10) S2RHG-T65 .....	T65-001 through T65-018 and T65HG-011 through T65HG-019.
(11) S2R-G1 .....	G1-101 through G1-115.
(12) S2R-G5 .....	G5-101 through G5-105.
(13) S2R-G6 .....	G6-101 through G6-155.
(14) S2R-G10 .....	G10-101 through G10-168.
(15) S2R-T660 .....	T660-101 through T660-120.

**Unsafe Condition**

(d) This proposed AD results from reports of cracks in the empennage of Thrush Aircraft, Inc., S2R series airplanes. We are

proposing this AD to detect and correct these cracks, which could cause the vertical stabilizer to lose structural integrity. This condition could lead to loss of control.

**Compliance**

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

Actions	Compliance	Procedures
(1) Perform a visual inspection of the vertical stabilizer attach fitting (P/N 40301-7), the horizontal stabilizer attach fitting (P/N 40303-1/-4/-7 or 95267-1), attachment bolt (P/N NAS1105-68), and vertical fin aft spar (P/N 40261-24 or P/N 95253-1), for cracks or corrosion.	Within the next 50 hours time-in-service (TIS) after the effective date of this AD and repetitively thereafter at intervals not to exceed every 100 hours TIS for up to 2 years or a total of 2,000 hours TIS, whichever occurs first.	Follow Thrush Aircraft, Inc. Service Bulletin No. SB-AG-45, Revision B, dated June 1, 2007.
(2) If cracks or corrosion are found in P/N 40301-7, 40303-1/-4/-7, 95267-1, or NAS1105-68 during any inspection required in paragraph (e)(1) of this AD, replace all three parts with new P/Ns 95266-3, 95267-5 and NAS6207-68.	Before further flight after any inspection where cracks or corrosion are found.	Follow Thrush Aircraft, Inc. Service Bulletin No. SB-AG-45, Revision B, dated June 1, 2007.
(3) If cracks or corrosion are found in P/N 40261-24 or 95253-1 during any inspection required in paragraph (e)(1) of this AD, replace with a new P/N 40261-24 or 95253-1, or repair in accordance with Thrush SB-AG-45, Revision B.	Before further flight after any inspection where cracks or corrosion are found.	Follow Thrush Aircraft, Inc. Service Bulletin No. SB-AG-45, Revision B, dated June 1, 2007.

Actions	Compliance	Procedures
(4) Replace vertical stabilizer attach fitting P/N 40301-7 with P/N 95266-3, replace horizontal stabilizer attach fitting P/N 40303-1/-4/-7 or 95267-1 with P/N 95267-5, and replace attachment bolt NAS1105-68 with NAS6207-68 bolt.	Within the next 2,000 hours TIS after the effective date of this AD or within 2 years after the effective date of this AD, whichever occurs first. This action terminates the repetitive inspections required in paragraph (e)(1) of this AD, including the inspections of the vertical fin aft spar, P/N 40261-24 or 95253-1.	Follow Thrush Aircraft, Inc. Service Bulletin No. SB-AG-45, Revision B, dated June 1, 2007.

### Special Flight Permit

(f) Under 14 CFR part 39.23, we are limiting the special flight permits authorized for this AD to ferry aircraft to a maintenance facility for inspection by the following conditions:

- (1) Hopper must be empty.
- (2) Vne reduced to 126 m.p.h. (109 knots); and
- (3) No flight into known turbulence.

### Alternative Methods of Compliance (AMOCs)

(g) The Manager, 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: Cindy Lorenzen, Aerospace Engineer, ACE-115A, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Blvd., Suite 450, Atlanta, GA 30349; telephone: (770) 703-6078; facsimile: (770) 703-6097; e-mail: [cindy.lorenzen@faa.gov](mailto:cindy.lorenzen@faa.gov); or Mike Cann, Aerospace Engineer, ACE-117A, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Blvd., Suite 450, Atlanta, Georgia 30349; telephone: (770) 703-6038; facsimile: (770) 703-6097; e-mail: [michael.cann@faa.gov](mailto:michael.cann@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

(h) To get copies of the service information referenced in this AD, contact Thrush Aircraft, Inc., P.O. Box 3149, 300 Old Pretoria Road, Albany, Georgia 31706-3149; telephone: 229-883-1440; facsimile: 229-436-4856; or on the Internet at: <http://www.thrushaircraft.com>. 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://dms.dot.gov>. The docket number is Docket No. FAA-2007-28432; Directorate Identifier 2007-CE-051-AD.

Issued in Kansas City, Missouri, on July 20, 2007.

**Kim Smith,**

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7-14433 Filed 7-25-07; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 301

[REG-149036-04]

RIN 1545-BE07

### Application of Section 6404(g) of the Internal Revenue Code Suspension Provisions; Correction

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

**ACTION:** Correction to notice of proposed rulemaking by cross-reference to temporary regulations.

**SUMMARY:** This document contains corrections to notice of proposed rulemaking by cross-reference to temporary regulations (REG-149036-04) that were published in the **Federal Register** on Thursday, June 21, 2007 (72 FR 34204) relating to the application of section 6404(g) of the Internal Revenue Code suspension provisions.

**FOR FURTHER INFORMATION CONTACT:** Stuart Spielman, (202) 622-7950 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

#### Background

The notice of proposed rulemaking by cross-reference to temporary regulations that are the subject of this correction are under section 6404(g) of the Internal Revenue Code.

#### Need for Correction

As published, proposed regulations (REG-149036-04) contains an error that may prove to be misleading and is in need of clarification.

#### Correction of Publication

Accordingly, the publication of the proposed regulations (REG-149036-04), which was the subject of FR Doc. E7-12085, is corrected as follows:

On page 34204, column 1, in the preamble, under the caption **SUMMARY**, lines 11 through 13, the language “the gulf Opportunity zone act of 2005, and the Tax Relief and Health Care Act of 2006. The regulations provide” is corrected to read “the Gulf Opportunity

Zone Act of 2005, the Tax Relief and Health Care Act of 2006, and the Small Business and Work Opportunity Tax Act of 2007. The regulations provide”.

**LaNita Van Dyke,**

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

[FR Doc. E7-14400 Filed 7-25-07; 8:45 am]

BILLING CODE 4830-01-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 301

[REG-149036-04]

RIN 1545-BG75

### Application of Section 6404(g) of the Internal Revenue Code Suspension Provisions; Correction

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

**ACTION:** Correction to notice of proposed rulemaking.

**SUMMARY:** This document contains corrections to the notice of proposed rulemaking (REG-149036-04) that were published in the **Federal Register** on Thursday, June 21, 2007 (72 FR 34199) proposing regulations for the suspension of interest, penalties, additions to tax or additional amounts under section 6404(g) of the Internal Revenue Code that explain the general rules for suspension as well as exceptions to those general rules.

**FOR FURTHER INFORMATION CONTACT:** Stuart Spielman, (202) 622-7950 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

#### Background

The notice of proposed rulemaking that is the subject of this correction is under section 6404(g) of the Internal Revenue Code.

#### Need for Correction

As published, the proposed regulations (REG-149036-04) contain errors that may prove to be misleading and are in need of clarification.