

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket No. APHIS–2006–0151]

#### Oriental Fruit Fly; Addition and Removal of Quarantined Areas in California

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

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the Oriental fruit fly regulations by removing the Santa Ana area of Orange County, CA, from the list of quarantined areas and removing restrictions on the interstate movement of regulated articles from that area. That action was necessary to remove restrictions that were no longer necessary to prevent the spread of the Oriental fruit fly into noninfested areas of the United States. The Santa Ana area of Orange County, CA, was the last remaining area in California quarantined for Oriental fruit fly. Therefore, as a result of that action, there are no longer any areas in the continental United States quarantined for the Oriental fruit fly.

**DATES:** Effective on October 26, 2007, we are adopting as a final rule the interim rule published at 72 FR 40061–40062 on July 23, 2007.

**FOR FURTHER INFORMATION CONTACT:** Mr. Wayne D. Burnett, Domestic Coordinator, Fruit Fly Exclusion and Detection Programs, APHIS, 4700 River Road Unit 137, Riverdale, MD 20737–1234; (301) 734–6553.

#### SUPPLEMENTARY INFORMATION:

#### Background

The Oriental fruit fly, *Bactrocera dorsalis* (Hendel), is a destructive pest of citrus and other types of fruit, nuts, vegetables, and berries. The short life cycle of the Oriental fruit fly allows rapid development of serious outbreaks, which can cause severe economic losses. Heavy infestations can cause complete loss of crops.

The Oriental fruit fly regulations, contained in 7 CFR 301.93 through 301.93–10 (referred to below as the regulations), restrict the interstate movement of regulated articles from quarantined areas to prevent the spread of the Oriental fruit fly to noninfested areas of the United States. The regulations also designate soil and a large number of fruits, nuts, vegetables, and berries as regulated articles.

In an interim rule<sup>1</sup> effective and published in the **Federal Register** on November 17, 2006 (71 FR 66831–66833, Docket No. APHIS–2006–0151), we amended the regulations by adding a portion of San Bernardino County, CA, to the list of quarantined areas and restricting the interstate movement of regulated articles from that area. We also amended the definitions of the terms *core area* and *day degrees* and added jujube (*Ziziphus* spp.) to the list of articles regulated for Oriental fruit fly. The November 2006 interim rule was necessary to prevent the spread of Oriental fruit fly into noninfested areas of the United States and to update the regulations to reflect current science and practices.

Comments on the interim rule were required to be received on or before January 16, 2007. We did not receive any comments.

In a second interim rule<sup>2</sup> effective and published in the **Federal Register** on January 22, 2007 (72 FR 2597–2599, Docket No. APHIS–2006–0151), we amended the regulations by adding the Santa Ana area of Orange County, CA, to the list of quarantined areas and restricting the interstate movement of regulated articles from that area. In addition, we removed the portion of San Bernardino County, CA, from the list of quarantined areas and removed restrictions on the interstate movement

of regulated articles from that area. We took that action based on trapping surveys conducted by inspectors of California State and county agencies that showed that the Santa Ana area of Orange County, CA, had been infested with the Oriental fruit fly and that the Oriental fruit fly had been eradicated from the quarantined portion of San Bernardino County, CA.

Comments on the interim rule were required to be received on or before March 23, 2007. We received one comment by that date, from a private citizen. The commenter alluded to fruit fly eradication efforts that had occurred in the 1980s, but did not address the interim rule.

Finally, in a third interim rule<sup>3</sup> effective and published in the **Federal Register** on July 23, 2007 (72 FR 40061–40062, Docket No. APHIS–2006–0151), we amended the regulations by removing the Santa Ana area of Orange County, CA, from the list of quarantined areas and removing restrictions on the interstate movement of regulated articles from that area. We took that action based on trapping surveys conducted by inspectors of California State and county agencies that showed that the Oriental fruit fly had been eradicated from the Santa Ana area of Orange County, CA. As a result of that action, there are no longer any areas in the continental United States quarantined for the Oriental fruit fly.

Comments on the interim rule were required to be received on or before September 21, 2007. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the July 2007 interim rule as a final rule.

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, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

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

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

<sup>1</sup> To view the interim rules and the comment we received, go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2006-0151>.

<sup>2</sup> See footnote 1.

<sup>3</sup> See footnote 1.

## 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 72 FR 40061–40062 on July 23, 2007.

Done in Washington, DC, this 22nd day of October 2007.

**Kevin Shea,**

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

[FR Doc. E7–21119 Filed 10–25–07; 8:45 am]

**BILLING CODE 3410–34–P**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

**RIN 3150–AI21**

### List of Approved Spent Fuel Storage Casks: TN–68 Revision 1, Confirmation of Effective Date

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule: confirmation of effective date.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is confirming the effective date of October 30, 2007, for the direct final rule that was published in the **Federal Register** on August 16, 2007 (72 FR 45880). This direct final rule amended the NRC's regulations to revise the TN–68 cask system listing to include Amendment No. 1 to Certificate of Compliance (CoC) No. 1027.

**DATES:** *Effective Date:* The effective date of October 30, 2007, is confirmed for this direct final rule.

**ADDRESSES:** Documents related to this rulemaking, including any comments received, may be examined at the NRC Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Jayne M. McCausland, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415–6219, e-mail [jmm2@nrc.gov](mailto:jmm2@nrc.gov).

**SUPPLEMENTARY INFORMATION:** On August 16, 2007 (72 FR 45880), the NRC published a direct final rule amending its regulations at 10 CFR 72.214 to revise the TN–68 cask system listing within the “List of Approved Spent Fuel Storage Casks” to include Amendment No. 1 to CoC No. 1027. This amendment modifies the CoC by revising several fuel parameters that include increasing

fuel burnup to 60 gigawatts-day/metric ton of uranium, increasing total cask decay heat to 30 kilowatts, increasing maximum average fuel enrichment to 4.7 weight percent uranium-235, and decreasing minimum fuel assembly cooling time to 7 years. Amendment No. 1 will also add up to eight damaged fuel assemblies as authorized contents of the cask and reduce the cask spacing on the storage pad. In the direct final rule, NRC stated that if no significant adverse comments were received, the direct final rule would become final on October 30, 2007. The NRC did not receive any comments on the direct final rule. Therefore, this rule will become effective as scheduled.

Dated at Rockville, Maryland, this 22nd day of October, 2007.

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**

*Chief, Rulemaking, Directives and Editing Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. E7–21143 Filed 10–25–07; 8:45 am]

**BILLING CODE 7590–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA–2007–27496; Directorate Identifier 2005–SW–37–AD; Amendment 39–15238; AD 2007–22–02]**

**RIN 2120–AA64**

### Airworthiness Directives; Bell Helicopter Textron, Inc. Model 205A, 205A–1, 205B, 212, 412, 412CF, and 412EP Helicopters

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

**ACTION:** Final Rule.

**SUMMARY:** This amendment supersedes an existing airworthiness directive (AD) for the specified Bell Helicopter Textron, Inc. (Bell) Helicopters. That AD currently requires inspecting each affected tail rotor blade (blade) forward tip weight retention block (tip block) and the aft tip closure (tip closure) for adhesive bond voids, and removing any blade with an excessive void from service. That AD also requires modifying certain blades by installing shear pins and tip closure rivets. This amendment contains the same requirements but expands the applicability to include other part and serial-numbered blades. This AD also clarifies the requirement to re-identify the modified blade by adding “FM” after the part number and also requires

dynamically balancing the tail rotor. The existing AD was prompted by five occurrences of missing tip blocks or tip closures resulting in minor to substantial damage. This amendment was prompted by the determination that the AD should apply to other affected part and serial-numbered blades. The actions specified by this AD are intended to prevent loss of a tip block or tip closure, loss of a blade and subsequent loss of control of the helicopter.

**DATES:** Effective November 30, 2007.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 30, 2007.

**ADDRESSES:** You may get the service information identified in this AD from Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, Texas 76101, telephone (817) 280–3391, fax (817) 280–6466.

**Examining the Docket:** You may examine the AD docket 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 AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (telephone 800–647–5527) is the Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Michael Kohner, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Certification Office, Fort Worth, Texas 76193–0170, telephone (817) 222–5447, fax (817) 222–5783.

**SUPPLEMENTARY INFORMATION:** A proposal to amend 14 CFR part 39 by superseding AD 2002–09–04, Amendment 30–12737 (67 FR 22349, May 3, 2002), for the specified Bell model helicopters was published in the **Federal Register** on March 13, 2007 (72 FR 11295). The action proposed: retaining requirements to inspect the tip block and the tip closure for adhesive bonding voids and to remove any blade with an excessive void from service; retaining requirements to modify certain blades by installing shear pins and tip closure rivets in the tip area of the affected blades; expanding the applicability to include more blades and clarifying other requirements.

Since issuing AD 2002–09–04, Bell issued further revisions to Alert Service Bullet (ASB) Nos. 205–00–80, 205B–00–