

**§ 301.75–6 Interstate movement of regulated articles from a quarantined area, general requirements.**

Regulated articles may be moved interstate from a quarantined area into any area of the United States except commercial citrus-producing areas if all of the following conditions are met:

(a) *Inspections.* (1) In the quarantined area, every regulated plant and regulated tree at every nursery containing regulated plants or regulated trees is inspected for citrus canker by an inspector at intervals of no more than 45 days.

(2) *Treatment of personnel, vehicles, and equipment.* In the quarantined area, all vehicles, equipment, and other articles used in providing inspection, maintenance, harvesting, or related services in any grove containing regulated plants or regulated trees must be treated in accordance with § 301.75–11(d) upon leaving the grove. All personnel who enter the grove or premises to provide these services must be treated in accordance with § 301.75–11(c) upon leaving the grove.

(b) Regulated plants and trees produced in a nursery located in a quarantined area that are not eligible for movement under paragraph (a) of this section may be moved interstate only for immediate export. The regulated plants and trees must be accompanied by a limited permit issued in accordance with § 301.75–12 and must be moved in a container sealed by APHIS directly to the port of export in accordance with the conditions of the limited permit.

■ 4. Section 301.75–7 is amended as follows:

- a. By removing paragraph (a)(2).
- b. By redesignating paragraphs (a)(3) through (a)(6) as paragraphs (a)(2) through (a)(5), respectively.
- c. By revising newly redesignated paragraph (a)(2) to read as set forth below.
- d. By revising newly redesignated paragraph (a)(5) to read as set forth below.
- e. By redesignating paragraph (b) as paragraph (c) and adding a new paragraph (b) to read as set forth below.

**§ 301.75–7 Interstate movement of regulated fruit from a quarantined area.**

(a) \* \* \*

(2) No more than 30 days before the beginning of harvest, every tree was inspected by an inspector and the grove was found free of citrus canker. Further, in groves producing limes, every tree was inspected by an inspector and the grove was found free of citrus canker every 120 days or less thereafter for as long as harvest continued.

\* \* \* \* \*

(5) The regulated fruit is accompanied by a limited permit issued in accordance with § 301.75–12. The boxes or other containers in which the fruit is packaged must be clearly marked with the statement “Not for distribution in AZ, CA, HI, LA, TX, and American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands of the United States.”

\* \* \* \* \*

(b) Regulated fruit produced in a quarantined area that is not eligible for movement under paragraph (a) of this section may be moved interstate only for immediate export. The regulated fruit must be accompanied by a limited permit issued in accordance with § 301.75–12 and must be moved in a container sealed by APHIS directly to the port of export in accordance with the conditions of the limited permit.

\* \* \* \* \*

Done in Washington, DC, this 26th day of July 2006.

**Charles D. Lambert,**

*Acting Under Secretary for Marketing and Regulatory Programs.*

[FR Doc. E6–12314 Filed 7–31–06; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2006–25444; Directorate Identifier 2006–SW–18–AD; Amendment 39–14700; AD 2006–15–19]

**RIN 2120–AA64**

#### **Airworthiness Directives; Sikorsky Aircraft Corporation Model S–92A Helicopters**

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) for the Sikorsky Aircraft Corporation (Sikorsky) Model S–92A helicopters. This action requires, before further flight, replacing a certain main gearbox (MGB) upper main housing assembly (housing assembly) that has 2700 or more hours time-in-service (TIS) with an airworthy part. This action also requires, before further flight, revising the Airworthiness Limitations section (ALS) of the maintenance manual by establishing a new retirement life for the MGB housing assembly of 2700 hours TIS. This amendment is prompted by testing of

the MGB housing assembly that resulted in premature fatigue failure due to a manufacturing process creating an oxide skin defect in the housing. The actions specified in this AD are intended to prevent fatigue failure of the MGB housing, loss of MGB lube oil, loss of main and tail rotor drive, and subsequent loss of control of the helicopter.

**DATES:** Effective August 16, 2006.

Comments for inclusion in the Rules Docket must be received on or before October 2, 2006.

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

#### **Examining the Docket**

You may examine the docket that contains the AD, any comments, and other information on the Internet at <http://dms.dot.gov>, or in person at the Docket Management System (DMS) Docket Offices between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647–5227) is located on the plaza level of the Department of Transportation Nassif Building at the street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the DMS receives them.

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

Wayne Gaulzetti, Aviation Safety Engineer, Boston Aircraft Certification Office, 12 New England Executive Park, Burlington, MA 01803, telephone (781) 238–7156, fax (781) 238–7170.

**SUPPLEMENTARY INFORMATION:** This amendment adopts a new AD for the Sikorsky Model S–92A helicopters. This action requires, before further flight, replacing a certain MGB housing assembly that has 2700 or more hours TIS with an airworthy MGB housing assembly with less than 2700 hours TIS. Also, this action requires, before further flight, revising the ALS of the

maintenance manual by establishing a new retirement life for the MGB housing assembly of 2700 or more hours TIS. This amendment is prompted by component fatigue testing of the MGB housing assembly that resulted in premature fatigue failure due to a manufacturing process creating an oxide skin defect in the housing. This condition, if not corrected, could result in fatigue failure of the MGB housing, loss of MGB lube oil, loss of main and tail rotor drive, and subsequent loss of control of the helicopter.

This unsafe condition is likely to exist or develop on other helicopters of the same type design. Therefore, this AD is being issued to prevent fatigue failure of the MGB housing, loss of MGB lube oil, loss of main and tail rotor drive, and subsequent loss of control of the helicopter. This AD requires, before further flight, replacing any MGB housing assembly, part number 92351-15110-042, that has 2700 or more hours TIS with an airworthy part. This AD also requires, before further flight, revising the ALS of the maintenance manual by establishing a new retirement life for the MGB housing assembly of 2700 hours TIS.

The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability or structural integrity of the helicopter. Some operators may have already exceeded the 2700 hours TIS. Therefore, replacing each MGB housing assembly that has 2700 or more hours TIS with an airworthy MGB housing assembly is required before further flight and this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

We estimate that this AD will affect 13 helicopters, and will take about 20 work hours to replace the MGB housing assembly at an average labor rate of \$80 per work hour. Required parts will cost about \$152,000 per helicopter. Based on these figures, we estimate the total cost impact of the AD on U.S. operators to be \$1,996,800.

#### Comments Invited

This AD is a final rule that involves requirements that affect flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any written data, views, or arguments regarding this AD. Send your comments to an address listed under **ADDRESSES**.

Include "Docket No. FAA-2006-25444; Directorate Identifier 2006-18-SW-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://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 AD. 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 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>.

#### Regulatory Findings

We have 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 the 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 an economic evaluation of the estimated costs to comply with this AD. See the DMS to examine the 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.

#### Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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:

**2006-15-19 Sikorsky Aircraft Corporation:**  
Amendment 39-14700. Docket No. FAA-2006-25444; Directorate Identifier 2006-SW-18-AD.

#### Applicability

Model S-92A helicopter, with main gearbox (MGB) upper main housing assembly (housing assembly), part number 92351-15110-042, installed, certificated in any category.

#### Compliance

Required as indicated, unless accomplished previously.

To prevent fatigue failure of the MGB housing, loss of MGB lube oil, loss of main and tail rotor drive, and subsequent loss of control of the helicopter, do the following:

(a) Before further flight, replace each MGB housing with 2700 or more hours time-in-service (TIS) with an airworthy MGB housing with less than 2700 hours TIS.

(b) This AD revises the Airworthiness Limitations section of the maintenance manual by establishing a new retirement life for the MGB housing assembly of 2700 hours TIS.

(c) 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, Boston Aircraft Certification Office, FAA, ATTN: Wayne Gaulzetti, Aviation Safety Engineer, 12 New England Executive Park, Burlington, MA 01803, telephone (781) 238-7156, fax (781) 238-7170, for information about previously approved alternative methods of compliance.

(d) This amendment becomes effective on August 16, 2006.

Issued in Fort Worth, Texas, on July 26, 2006.

David A. Downey,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. E6-12305 Filed 7-31-06; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2006-23866; Airspace Docket No. 06-ASO-3]

#### Establishment of Class D and E Airspace, Amendment of Class E Airspace; Leesburg, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This action establishes Class D and E4 airspace and amends Class E5 airspace at Leesburg, FL. A Federal contract tower with a weather reporting system is being constructed at the Leesburg Regional Airport. Therefore, the airport will meet the criteria for establishment of Class D and E4 airspace. Class D surface area airspace and Class E4 airspace designated as an extension to Class D airspace is required when the control tower is open to contain existing Standard Instrument Approach Procedures (SIAPs) and other Instrument Flight Rules (IFR) operations at the airport. This action will establish Class D airspace extending upward from the surface to but not including 1,600 feet MSL, within a 4.1-mile radius of the Leesburg Regional Airport and a Class E4 airspace extension that is 4.8 miles wide and extends 7 miles southeast of the airport. This action will also amend Class E5 airspace extending upward from 700 feet Above Ground Level (AGL) needed to contain SIAPs, by decreasing the size from a 7-mile radius of the airport to a 6.6-mile radius of the airport and providing for the procedure turn area. Additionally, a technical amendment will result in a name change from the Leesburg Municipal Airport to the Leesburg Regional Airport, which was effective August 25, 1997.

**DATES:** *Effective Date:* 0901 UTC, September 28, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mark D. Ward, Manager, System Support, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5586.

#### SUPPLEMENTARY INFORMATION:

#### History

On February 28, 2006, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by establishing Class D and E4 airspace and amending Class E5 airspace at Leesburg, FL, (71 FR 9982). This action provides adequate Class D and E airspace for IFR operations at Leesburg Regional Airport. Designations for Class D Airspace, Class E Airspace Areas Designated as an Extension to a Class D Surface Area, and Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth are published in paragraphs 5000, 6004 and 6005 respectively, of FAA Order 7400.9N, dated September 1, 2005, and effective September 16, 2005, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

#### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class D airspace and Class E4 airspace and amends Class E5 airspace at Leesburg, FL.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority** 49 U.S.C. 106(g); 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 comp., p. 389; 14 CFR 11.69.

#### 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 16, 2005, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

#### ASO FL D Leesburg, FL [NEW]

Leesburg Regional Airport, FL  
(Lat. 28°49'23" N, long. 81°48'31" W)

That airspace extending upward from the surface to but not including 1,600 feet MSL within a 4.1-mile radius of Leesburg Regional Airport. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6004 Class E4 Airspace Areas Designated as an Extension to a Class D Surface Area.*

\* \* \* \* \*

#### ASO FL E4 Leesburg, FL [NEW]

(Lat. 28°49'23" N, long. 81°48'31" W)  
Leesburg NDB  
(Lat. 28°49'06" N, long. 81°48'26" W)

That airspace extending upward from the surface within 2.4 miles each side of the Leesburg NDB 111° bearing, extending from the 4.1-mile radius to 7 miles southeast of the NDB. This class E4 airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### ASO FL E5 Leesburg, FL [REVISED]

Leesburg Regional Airport, FL  
(Lat. 28°49'23" N, long. 81°48'31" W)  
Leesburg NDB  
(Lat. 28°49'06" N, long. 81°48'26" W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Leesburg Regional Airport, and within 4 miles southwest and 8 miles northeast of the 111° bearing from the