

stakeholders, and recognizing the extenuating circumstances that adversely impact the capability of external stakeholders to comment on the proposed rulemaking given ongoing activities which are competing for the same industry resources, the comment period, for both the proposed rulemaking and for the information collections analysis, will be extended for an additional 45 days. This partial grant of the request from both NEI and the State of Pennsylvania recognizes that the power reactor security requirements impact new reactor applications, and it is the NRC's objective to not adversely impact new reactor applications which are scheduled to be submitted in late 2007.

Dated at Rockville, Maryland, this 27th day of December 2006.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. E6-22581 Filed 1-4-07; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 73

[Docket No. PRM-73-11]

#### Petition for Rulemaking Filed by Scott Portzline, Three Mile Island Alert; Consideration of Petition

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Petition for rulemaking; consideration of petition.

**SUMMARY:** On November 2, 2001 (66 FR 55603), the Nuclear Regulatory Commission (NRC) published for public comment a petition for rulemaking (PRM) filed by Scott Portzline, Three Mile Island Alert. The petitioner requested that the NRC regulations governing physical protection of plants and materials be amended to require NRC licensees to post at least one armed guard at each entrance to the "owner controlled areas" (OCAs) surrounding all U.S. nuclear power plants. The petitioner states that this should be accomplished by adding armed site protection officers (SPOs) to the security forces—not by simply moving SPOs from their protected area (PA) posts to the OCA entrances. The petitioner believes that its proposed amendment would provide an additional layer of security that would complement existing measures against radiological sabotage and would be consistent with the long-standing principle of defense-in-depth.

This document informs the public that PRM-73-11 and public comments received in response to the above notice will be considered in a proposed rulemaking, "Power Reactor Security Requirements," published in the **Federal Register** on October 26, 2006 (71 FR 62664). This rulemaking proposes extensive revisions to the NRC regulations in 10 CFR parts 50, 72, and 73 that address security requirements for nuclear power reactor licensees and certain materials licensees. The comment period on that proposed rule expires on February 23, 2007. Because the public has already had opportunity to comment on PRM-73-11, the NRC is requesting that comments focus on the proposed rule provisions in light of the subject PRM. Refer to the preamble of the proposed rule for instructions on how to provide comments.

#### FOR FURTHER INFORMATION CONTACT:

George Tartal, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Telephone: 301-415-0016, or toll-free: 800-368-5642, e-mail [gmt1@nrc.gov](mailto:gmt1@nrc.gov), or Everett Byre, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Telephone: 301-415-7825, or toll-free: 800-368-5642, e-mail [exb4@nrc.gov](mailto:exb4@nrc.gov).

Dated at Rockville, Maryland, this 27th day of December 2006.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. E6-22582 Filed 1-4-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2006-26496; Directorate Identifier 2006-CE-81-AD]

RIN 2120-AA64

#### Airworthiness Directives; Alpha Aviation Design Limited (Type Certificate No. A48EU Previously Held by APEX Aircraft and AVIONS PIERRE ROBIN) Model R2160 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 the

products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as a deficiency in compliance with 14 CFR 23.967(d). There have been instances indicating that production aircraft may not have a metal barrier between the cabin and the fuel tank bay. Lack of a barrier could allow flammable fuel vapors to enter the cabin. The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by February 5, 2007.

**ADDRESSES:** You may send comments by any of the following methods:

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

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

- **Mail:** Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- **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.

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

#### Examining the AD Docket

You may examine the AD docket 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 AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5227) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Karl Schletzbaum, Aerospace Engineer, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone (816) 329-4146; fax (816) 329-4090.

#### SUPPLEMENTARY INFORMATION:

##### Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. The streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to

the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and **Federal Register** requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This proposed AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The proposed AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

#### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2006-26496; Directorate Identifier 2006-CE-81-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because 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 about this proposed AD.

#### Discussion

The Civil Aviation Authority of New Zealand, which is the aviation authority for New Zealand, has issued AD DCA/R2000/38, dated June 29, 2006 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states that there have been instances indicating that production aircraft may not have a metal barrier between the cabin and the fuel tank bay. Lack of a barrier could allow flammable fuel vapors to enter the cabin. The MCAI requires that, to ensure that the aircraft is in compliance with 14 CFR 23.967(d), inspect the aircraft to determine if a metal barrier is installed behind the seats and, if not installed, to manufacture and install a barrier. You may obtain further information by examining the MCAI in the AD docket.

#### Relevant Service Information

Alpha Aviation Design Limited has issued Alpha Aviation Service Bulletin AA-SB-28-001, dated July 10, 2006. The actions described in this service

information are intended to correct the unsafe condition identified in the MCAI.

#### FAA's Determination and Requirements of the Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

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

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are described in a separate paragraph of the proposed AD. These requirements, if ultimately adopted, will take precedence over the actions copied from the MCAI.

#### Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 10 products of U.S. registry. We also estimate that it would take about 3 work-hours per product to comply with the proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$300 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$5,400, or \$540 per product.

#### 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 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 this 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.

#### 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:

**Alpha Aviation Design Limited (Type Certificate No. A48EU previously held by APEX Aircraft and AVIONS PIERRE ROBIN):** Docket No. FAA-2006-26496; Directorate Identifier 2006-CE-81-AD.

#### Comments Due Date

(a) We must receive comments by February 5, 2007.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Model R2160 airplanes, serial numbers 001 through 378, certificated in any category.

#### Reason

(d) The mandatory continuing airworthiness information (MCAI) states that there have been instances indicating that production aircraft may not have a metal barrier between the cabin and the fuel tank bay. Lack of a barrier could allow flammable fuel vapors to enter the cabin. The MCAI requires that, to ensure that the aircraft is in compliance with 14 CFR 23.967(d), inspect the aircraft to determine if a metal barrier is installed behind the seats and, if not installed, to manufacture and install a barrier.

#### Actions and Compliance

(e) Unless already done, do the following actions within the next 100 hours time-in-service or within 6 months of the effective date of this AD, whichever occurs first.

(1) Inspect the aircraft to determine if a metal barrier is installed behind the seats per Alpha Aviation Service Bulletin AA-SB-28-001, dated July 10, 2006.

(2) If a metal barrier is installed per Alpha Aviation Service Bulletin AA-SB-28-001, dated July 10, 2006, and (e)(1) of this AD then no further action is required.

(3) If a metal barrier is not installed, manufacture and install a barrier per Alpha Aviation Service Bulletin AA-SB-28-001, dated July 10, 2006 and Alpha Aviation Drawing No. 60-53-119 (page 3 of 3 of the Service Bulletin).

#### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: No differences.

#### Other FAA AD Provisions

(f) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Staff, FAA, ATTN: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, MO 64106; telephone: (816) 329-4146; fax: (816) 329-4090, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required

to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

#### Related Information

(g) Refer to MCAI Civil Aviation Authority of New Zealand AD DCA/R2000/38, dated June 29, 2006, and Alpha Aviation Service Bulletin AA-SB-28-001, dated July 10, 2006, for related information.

Issued in Kansas City, Missouri, on December 28, 2006.

**John R. Colomy,**

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

[FR Doc. E6-22577 Filed 1-4-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2006-26489; Directorate Identifier 2006-CE-74-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; SOCATA-Groupe AEROSPATIALE Models M.S. 760, M.S. 760 A, and M.S. 760 B 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 the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Following Safety Alert No. SA-006, issued by the National Transportation Safety Board (NTSB) on aircraft icing, it was impossible to demonstrate that the aircraft can safely takeoff when contaminated by frost, ice, snow, or slush, and fly into icing conditions.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by February 5, 2007.

**ADDRESSES:** You may send comments by any of the following methods:

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

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

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#### FOR FURTHER INFORMATION CONTACT:

Albert J. Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4119; fax: (816) 329-4090.

#### SUPPLEMENTARY INFORMATION:

#### Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. The streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and **Federal Register** requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

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#### Comments Invited

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