

■ 2. Section 145.14 is amended by revising the section heading to read as follows:

§ 145.14 Testing.

* * * * *

Done in Washington, DC, this 15th day of April 2009.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E9-9098 Filed 4-20-09; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF ENERGY

10 CFR Part 835

[Docket No. HS-RM-09-835]

RIN 1901-AA95

Occupational Radiation Protection; Correction

AGENCY: Department of Energy.

ACTION: Final rule; correcting amendments.

SUMMARY: The Department of Energy (DOE) corrects two errors in its Occupational Radiation Protection regulations. One error originated in a final rulemaking (FR Doc. 98-27366), which was published in the **Federal Register** of Wednesday, November 4, 1998 (63 FR 59661). The second error originated in a final rulemaking (FR Doc. E7-10477), which was published in the **Federal Register** of Friday, June 8, 2007 (72 FR 31903).

DATES: *Effective Date:* April 21, 2009.

FOR FURTHER INFORMATION CONTACT: Judith Foulke, (301) 903-5865, *e-mail:* Judy.Foulke@hq.doe.gov.

SUPPLEMENTARY INFORMATION:

Background

DOE first published title 10, Code of Federal Regulations, part 835, *Occupational Radiation Protection* (part 835), as a final rule on December 14, 1993. In the November 4, 1998, amendment to part 835, DOE, in part, revised footnote 1 to appendix D. The revised footnote references an exception noted in footnote 5. The exception is actually found in footnote 6. When DOE proposed amending part 835 on August 10, 2006, DOE proposed correcting this error; however, in the final rule amending part 835 on June 8, 2007, the correction was not made. Accordingly, footnote 1 needs to be revised to reference the exception in footnote 6.

When DOE proposed amending part 835 on August 10, 2006, DOE proposed revising the definition of “absorbed

dose” to read: “*Absorbed dose* (D) means the average energy absorbed by matter from ionizing radiation per unit mass of irradiated material. The absorbed dose is expressed in units of rad (or gray) (1 rad = 0.01 gray).” During the public comment period, a comment was received that the definition should be changed from “energy absorbed by matter” to “energy imparted.” As noted in the preamble to the June 8, 2007, amendment, DOE agreed with the comment and revised the definition to read: “*Absorbed dose* (D) means the average energy imparted by ionizing radiation to the matter in a volume element. The absorbed dose is expressed in units of rad (or gray) (1 rad = 0.01 gray).” In making this revision, the phrase “per unit mass of irradiated material” was inadvertently deleted from the end of the first sentence.

Need for Corrections

This correction revises the definition of “absorbed dose” and changes the reference to footnote 6 in footnote 1 of appendix D to part 835.

List of Subjects in 10 CFR Part 835

Federal buildings and facilities, Nuclear energy, Nuclear materials, Nuclear power plants and reactors, Nuclear safety, Occupational safety and health, Radiation protection, and Reporting and recordkeeping requirements.

■ Accordingly, 10 CFR part 835 is corrected by making the following correcting amendments:

PART 835—OCCUPATIONAL RADIATION PROTECTION

■ 1. The authority citation for part 835 continues to read as follows:

Authority: 42 U.S.C. 2201, 7191; 50 U.S.C. 2410.

■ 2. In § 835.2(b), the definition of “absorbed dose” is corrected to read as follows:

§ 835.2 Definitions.

* * * * *

(b) * * *

Absorbed dose (D) means the average energy imparted by ionizing radiation to the matter in a volume element per unit mass of irradiated material. The absorbed dose is expressed in units of rad (or gray) (1 rad = 0.01 gray).

* * * * *

■ 3. In appendix D, footnote 1 of the table is corrected to read as follows:

Appendix D to Part 835—Surface Contamination Values

* * * * *

¹ The values in this appendix, with the exception noted in footnote 6 below, apply to radioactive contamination deposited on, but not incorporated into the interior or matrix of, the contaminated item. Where surface contamination by both alpha- and beta-gamma-emitting nuclides exists, the limits established for alpha- and beta-gamma-emitting nuclides apply independently.

* * * * *

Issued in Washington, DC, on April 13, 2009.

Glenn S. Podonsky,

Chief Health, Safety and Security Officer, Office of Health, Safety and Security.

[FR Doc. E9-9097 Filed 4-20-09; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-0126; Directorate Identifier 2009-CE-003-AD; Amendment 39-15884; AD 2009-08-11]

RIN 2120-AA64

Airworthiness Directives; PILATUS AIRCRAFT LTD. Models PC-12 and PC-12/45 Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This 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:

This Airworthiness Directive (AD) is prompted by some occurrences where the Deice Pressure Regulator has vented too much hot air into the forward compartment damaging the oxygen cylinder ON/OFF cable, the Ram-Air Scoop cable and the Environmental Control System (ECS) firewall shut-off valve cable.

If incorrectly adjusted, or defective, the Deice Pressure Regulator can vent hot air into the forward compartment. This situation can cause overheating and failures of components located inside the forward compartment, which could result in potential loss of several functions essential for safe flight.

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective May 26, 2009.

On May 26, 2009, the Director of the Federal Register approved the

incorporation by reference of certain publications listed in this AD.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at 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: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329-4059; *fax:* (816) 329-4090.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on February 13, 2009 (74 FR 7198). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

This Airworthiness Directive (AD) is prompted by some occurrences where the Deice Pressure Regulator has vented too much hot air into the forward compartment damaging the oxygen cylinder ON/OFF cable, the Ram-Air Scoop cable and the Environmental Control System (ECS) firewall shut-off valve cable.

If incorrectly adjusted, or defective, the Deice Pressure Regulator can vent hot air into the forward compartment. This situation can cause overheating and failures of components located inside the forward compartment, which could result in potential loss of several functions essential for safe flight.

For the reason described above, this AD mandates the installation of a flange and scoop in the aircraft skin to vent the hot air from the Deice Pressure Regulator overboard.

You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

Differences Between This 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 required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the AD.

Costs of Compliance

We estimate that this AD will affect 131 products of U.S. registry. We also estimate that it will take about 2 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$80 per work-hour. Required parts will cost about \$1,000 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 this AD on U.S. operators to be \$151,960, or \$1,160 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 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 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 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 the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5527) is 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 AD:

2009-08-11 Pilatus Aircraft Ltd.:

Amendment 39-15884; Docket No. FAA-2009-0126; Directorate Identifier 2009-CE-003-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective May 26, 2009.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Models PC-12 and PC-12/45 airplanes, manufacturer's serial numbers (MSN) 101 through MSN 320, certificated in any category.

Subject

(d) Air Transport Association of America (ATA) Code 30: Ice and Rain Protection.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

This Airworthiness Directive (AD) is prompted by some occurrences where the Deice Pressure Regulator has vented too much hot air into the forward compartment damaging the oxygen cylinder ON/OFF cable, the Ram-Air Scoop cable and the Environmental Control System (ECS) firewall shut-off valve cable.

If incorrectly adjusted, or defective, the Deice Pressure Regulator can vent hot air into the forward compartment. This situation can cause overheating and failures of components located inside the forward compartment, which could result in potential loss of several functions essential for safe flight.

For the reason described above, this AD mandates the installation of a flange and scoop in the aircraft skin to vent the hot air from the Deice Pressure Regulator overboard.

Actions and Compliance

(f) Unless already done, within the next 3 months after May 26, 2009 (the effective date of this AD), install an overboard vent for the airfoil deice system pressure regulator (Modification Kit Number 500.50.12.332) following the Accomplishment Instructions in PILATUS AIRCRAFT LTD. PC12 Service Bulletin No. 30-011, dated July 9, 2008.

FAA AD Differences

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

Other FAA AD Provisions

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

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, 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: Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64016; telephone: (816) 329-4059; fax: (816) 329-4090. 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.

(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

(h) Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2009-0007, dated January 13, 2009; and PILATUS AIRCRAFT LTD. PC12 Service Bulletin No. 30-011, dated July 9, 2008, for related information.

Material Incorporated by Reference

(i) You must use PILATUS AIRCRAFT LTD. PC12 Service Bulletin No. 30-011, dated July 9, 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 PILATUS AIRCRAFT LTD., Customer Service Manager, CH-6371 STANS, Switzerland; telephone: +41 (0)41 619 62 08; fax: +41 (0)41 619 73 11; Internet: <http://www.pilatus-aircraft.com/>, or e-mail: SupportPC12@pilatus-aircraft.com.

(3) You may review copies of the service information incorporated by reference for this AD at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the Central Region, call (816) 329-3768.

(4) You may also review copies of the service information incorporated by reference for this AD 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.

Issued in Kansas City, Missouri, on April 9, 2009.

John Colomy,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. E9-8687 Filed 4-20-09; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2009-0360; Directorate Identifier 2009-NM-039-AD; Amendment 39-15887; AD 2009-09-01]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A318, A319, A320 and A321 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated 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:

During a routine inspection on an Airbus A321 aircraft, the operator discovered that a bearing of the flap track No. 1 pendulum assembly had migrated out of position. * * * This condition, if not corrected, could lead to separation of the bearing/flap track assembly, resulting in the detachment of the affected flap surface from the wing and consequent loss of control of the aircraft.

* * * * *

This AD requires actions that are intended to address the unsafe condition described in the MCAI.

DATES: This AD becomes effective May 6, 2009.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of May 6, 2009.

We must receive comments on this AD by May 21, 2009.

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

- *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 W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office 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 street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Tim Dulin, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA,