

the NRC rules on compatibility and the potential effect on interstate commerce. Therefore, the petitioner requests that NRC consider adopting the use of GPS tracking as a national requirement for mobile or portable uses of highly radioactive sources. The petitioner further notes that a possible alternative would be to grant states the flexibility to impose more stringent requirements than those required under current NRC regulations.

The petitioner acknowledges that requiring a GPS on these vehicles does not ensure that the radiological source will be found. However, the petitioner believes that these suggestions would give law enforcement a significant advantage.

Dated at Rockville, Maryland, this 20th day of April 2007.

For the Nuclear Regulatory Commission.

**Andrew L. Bates,**

*Acting Secretary of the Commission.*

[FR Doc. E7-8094 Filed 4-26-07; 8:45 am]

BILLING CODE 7590-01-P

---

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2007-27519; Directorate Identifier 2007-NE-09-AD]

RIN 2120-AA64

#### Airworthiness Directives; SICMA Aero Seat 50XXX Passenger Seats

**AGENCY:** Federal Aviation Administration (FAA), 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 release of smoke was experienced in the passenger compartment during flight after an overheating of a reading lights power box of a PN 5039201-4T SICMA seat. An analysis put into evidence that this overheating was caused by a short-circuit produced by the rupture of an electrical power supply component (PN 78147-B). It has been noticed that this power supply is not in compliance with DO 160 environmental standard.

The short circuiting could result in arcing and consequent smoke or fire.

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 May 29, 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:

Jeffrey Lee, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [Jeffrey.lee@faa.gov](mailto:Jeffrey.lee@faa.gov); telephone (781) 238-7161; fax (781) 238-7170.

#### SUPPLEMENTARY INFORMATION:

##### Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This 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-2007-27519; Directorate Identifier 2007-NE-09-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 based on 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 Direction Generale De L'Aviation Civile (DGAC), which is the aviation authority for France, has issued French Airworthiness Directive F-2005-135, dated August 3, 2005, (EASA reference number 2005-6123) (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

A release of smoke was experienced in the passenger compartment during flight after an overheating of a reading lights power box of a PN 5039201-4T SICMA seat. An analysis put into evidence that this overheating was caused by a short-circuit produced by the rupture of an electrical power supply component (PN 78147-B). It has been noticed that this power supply is not in compliance with DO 160 environmental standard.

The short circuiting could result in arcing and consequent smoke or fire.

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

#### Relevant Service Information

SICMA Aero Seat has issued Service Bulletin No. 50-25-210, dated June 27, 2005. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### FAA's Determination and Requirements of This 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 reference above. We are proposing this AD because we evaluated all information provided by the State of Design Authority and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

**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 proposed 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 proposed 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 16,108 seats on airplanes of U.S. registry. We also estimate that it would take about .33 work-hours per product to comply with this proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost about \$3,475 per seat. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$56,400,551, or \$3,501 per seat.

**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.

**SICMA Aero Seat:** Docket No. FAA-2007-27519; Directorate Identifier 2007-NE-09-AD.

**Comments Due Date**

- (a) We must receive comments by May 29, 2007.

**Affected ADs**

- (b) None.

**Applicability**

- (c) This AD applies to Sicma Aero Seat 50XXX passenger seats with part numbers listed in the following Table 1:

TABLE 1.—APPLICABILITY

Single seats Part Number	Twin seats Part Number
50692( )-( )	50A71( )-( )
50442( )-( )	50A81( )-( )
50752( )-( )	50401( )-( )
50402( )-( )	50451( )-( )
50462( )-( )	50391( )-( )
50392( )-( )	
50452( )-( )	
50382( )-( )	
50A02( )-( )	
50A72( )-( )	
50A82( )-( )	

These seats are installed on, but not limited to, Boeing 747, 767, 777 series, and Airbus A330 and A340 series airplanes.

**Reason**

(d) Direction General De L' Aviation Civile (DGAC) Airworthiness Directive F-2005-135, dated August 3, 2005, states:

A release of smoke was experienced in the passenger compartment during flight after an overheating of a reading lights power box of a PN 5039201-4T SICMA seat. An analysis put into evidence that this overheating was caused by short-circuit produced by the rupture of an electrical power supply component (PN 78147-B). It has been noticed that this power supply is not in compliance with DO 160 environmental standard.

The short circuiting could result in arcing and consequent smoke or fire.

**Actions and Compliance**

(e) Unless already done, within six months from the effective date of this AD, identify the seats part numbers listed in the Table 1 of this AD and replace installed reading lights electrical power supplies with new ones using the instructions of the SICMA Aero Seat Service Bulletin No. 50-25-210, dated June 27, 2005.

**FAA AD Differences**

- (f) None.

**Other FAA AD Provisions**

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

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Boston Aircraft Certification Office, FAA, 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, 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 DGAC Airworthiness Directive F-2005-135, dated August 3, 2005, (EASA reference number 2005-6123) and SICMA Aero Seat Service Bulletin No. 50-25-210, dated June 27, 2005, for related information.

(i) Contact Jeffrey Lee, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine and Propeller Directorate; 12 New England Executive Park, Burlington, MA 01803, e-mail [Jeffrey.lee@faa.gov](mailto:Jeffrey.lee@faa.gov); telephone 781-238-7161; fax 781-238-7170, for more information about this AD.

Issued in Burlington, Massachusetts, on April 18, 2007.

**Francis A. Favara,**

*Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 07-2047 Filed 4-26-07; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF DEFENSE****Office of the Secretary****32 CFR Part 112**

[DoD-2007-OS-0025]

**32 CFR Part 112****Indebtedness of Military Personnel**

**AGENCY:** Department of Defense.

**ACTION:** Administrative correction; proposed rule.

**SUMMARY:** The Department of Defense is administratively amending the proposed rule published at 72 FR 19136, April 17, 2007 to remove a reference that had erroneously been included. The reference in question has been canceled. All other information remains unchanged.

**FOR FURTHER INFORMATION CONTACT:**

Lieutenant Colonel Mark Gingras, Office of the Deputy Under Secretary of Defense for Program Integration, 4000 Defense Pentagon, Washington, DC 20301-4000.

**SUPPLEMENTARY INFORMATION:** The reference, DoD Instruction 7230.7, was canceled by SD 106, dated November 6, 1997 and has been removed from the DoD Directives System.

**List of Subjects in 32 CFR Part 112**

Claims, Credit, Military personnel.

Accordingly, the proposed rule, 32 CFR part 112 is administratively corrected as follows:

**PART 112—INDEBTEDNESS OF MILITARY PERSONNEL**

1. The authority citation for 32 CFR part 112 continues to read as follows: 5 U.S.C. 5520a(k) and 10 U.S.C. 113(d).

**§ 112.4 [Corrected]**

2. Section 112.4(b) is administratively amended by removing the words “, as provided under DoD Instruction 7230.7<sup>2</sup>” in the last sentence and by removing the footnote.

3. Renumber the remaining footnotes in the Proposed Rule accordingly.

Dated: April 23, 2007.

**C.R. Choate,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. E7-8064 Filed 4-26-07; 8:45 am]

**BILLING CODE 5001-06-P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA-R05-OAR-2007-0155; FRL-8305-4]

**Approval and Promulgation of Air Quality Implementation Plans; Ohio: Transportation Conformity**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve a January 31, 2007, request from Ohio for a State Implementation Plan (SIP) revision related to the State transportation conformity regulations. This revision rescinds a number of the state transportation conformity regulations, from the SIP, so that the Federal transportation conformity regulations will be the enforceable regulations governing transportation conformity determinations in Ohio.

**DATES:** Comments must be received on or before May 29, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2007-0155, by one of the following methods:

- *www.regulations.gov:* Follow the on-line instructions for submitting comments.
- *E-mail:* [mooney.john@epa.gov](mailto:mooney.john@epa.gov).
- *Fax:* (312) 886-5824.
- *Mail:* John M. Mooney, Chief, Criteria Pollutant Section, (AR-18J), Air Programs Branch, Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

• *Hand Delivery:* John M. Mooney, Chief, Criteria Pollutant Section, (AR-18J), Air Programs Branch, Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours

of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding Federal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:**

Patricia Morris, Environmental Scientist, Criteria Pollutant Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8656, [morris.patricia@epa.gov](mailto:morris.patricia@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: April 12, 2007.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

[FR Doc. E7-7897 Filed 4-26-07; 8:45 am]

**BILLING CODE 6560-50-P ?**