

affect about 15 products of U.S. registry. We also estimate that it would take about 36 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Required parts would cost between \$7,900 and \$8,610 per product, depending on the airplane configuration. 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 between \$161,700 and \$172,350 for the fleet, or between \$10,780 and \$11,490 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:

#### Empresa Brasileira de Aeronautica S.A.

(EMBRAER); Docket No. FAA-2007-28256; Directorate Identifier 2007-NM-041-AD.

#### Comments Due Date

(a) We must receive comments by June 25, 2007.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135BJ airplanes, certificated in any category, serial numbers 145412, 145462, 145484, 145495, 145505, 145516, 145528, 145540, 145549, 145555, 145586, 145625, 145637, 145642, 145644, and 145678.

#### Subject

(d) Equipment/Furnishings.

#### Reason

(e) The mandatory continuing airworthiness information (MCAI) states: "It has been found the occurrence of smoke on the passenger cabin originated from the valance panel lighting system wiring."

The corrective action is replacement of the valance panel lighting system wiring.

#### Actions and Compliance

(f) Within 48 months after the effective date of this AD, unless already done, replace the wiring of the valance panel lighting system by another one that complies with the current inverter specifications, in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 145LEG-25-0070, dated October 11, 2006.

#### 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, International Branch, ANM-116, 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: Todd Thompson, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149. 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, 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 Brazilian Airworthiness Directive 2007-01-03, effective January 22, 2007, and EMBRAER Service Bulletin 145LEG-25-0070, dated October 11, 2006, for related information.

Issued in Renton, Washington, on May 15, 2007.

#### Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7-10026 Filed 5-23-07; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 110

[CGD01-07-011]

RIN 1625-AA01

#### Anchorage Regulations; Edgecomb Maine, Sheepscot River

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish a general anchorage area in Edgecomb, Maine, on the Sheepscot River. This action is necessary to facilitate safe navigation in that area and to provide safe and secure anchorages

for transient vessels visiting the area. This proposal is intended to increase the safety for life and property on the Sheepscot River, improve the safety of anchored vessels, provide for ample anchorages for transient vessels, and provide for the overall safe and efficient flow of recreational vessels and commerce.

**DATES:** Comments and related material must reach the Coast Guard on or before July 23, 2007.

**ADDRESSES:** You may mail comments and related material to Commander (dpw), First Coast Guard District, 408 Atlantic Ave., Boston, Massachusetts 02110, who maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room 628, First Coast Guard District Boston, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. John J. Mauro, Commander (dpw), First Coast Guard District, 408 Atlantic Ave., Boston, Massachusetts 02110, Telephone (617) 223-8355 or e-mail at [John.J.Mauro@uscg.mil](mailto:John.J.Mauro@uscg.mil).

#### **SUPPLEMENTARY INFORMATION:**

##### **Request for Comments**

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD01-07-011), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

##### **Public Meeting**

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the Waterways Management Branch at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

#### **Background and Purpose**

The proposed rule is the result of collaboration with the Town of Edgecomb's Waterfront Committee to accommodate transient vessels mooring in the area. Currently, the Town of Edgecomb has two large condominium/marina complexes under construction in the harbor. Due to this growth, the Waterfront Committee wants to be proactive and to insure that there will always be suitable anchorages available to vessels transiting the area. The proposed rule would establish a general anchorage area adjacent to the current town mooring fields. These fields currently accommodate approximately 40 moorings for vessels greater than 27 feet, and 35 moorings for vessels smaller than 27 feet. The proposed rule is designed to reserve approximately 15 anchorages for transient vessels visiting the area from May through October each year. The anchorage would accommodate both sail and power vessels with a 3-to-12-foot draft. Vessels would use their own ground tackle.

In developing this proposed rule, the Coast Guard has consulted with the Army Corps of Engineers, Northeast, located at 696 Virginia Road., Concord, MA 01742.

#### **Discussion of Proposed Rule**

The proposed rule would create a general anchorage area located in Edgecomb, Maine on the Sheepscot River. The proposed rule conforms to the changing needs of the Town of Edgecomb in addition to the needs of the recreational, fishing, and commercial vessels. The rule provides for the best use of the available navigable water. This anchorage is in the interest of safe navigation, and would protect the vessels moored at the Town of Edgecomb and marine environment.

Mariners using the anchorage area would be encouraged to contact local and state authorities, such as the local harbormaster, to ensure compliance with any applicable state and local laws. Such laws may involve, for example, compliance with direction from the local harbormaster when anchoring within the anchorage.

#### **Regulatory Evaluation**

This proposed rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation is unnecessary.

The proposed anchorage area does not impede the passage of recreational or commercial vessels as it is not located in the primary channel of the Sheepscot River, and thus, will have a minimal economic impact.

#### **Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. This proposed rule would affect the following entities, some of which might be small entities: the owners or operators of recreational or commercial vessels intending to transit in a portion of the Sheepscot River in and around the anchorage area. However, this anchorage area would not have a significant economic impact on these entities for the following reasons: The proposed anchorage area is not located near the primary channel of the river and will not restrict vessel traffic transiting up or down the Sheepscot River. Thus, the anchorage area will not impede safe and efficient vessel transits.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

#### **Assistance for Small Entities**

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Mr. John J. Mauro, Commander (dpw), First Coast Guard District, 408 Atlantic Ave.,

Boston, Massachusetts 02110, Telephone (617) 223-8355 or e-mail at [John.J.Mauro@uscg.mil](mailto:John.J.Mauro@uscg.mil).

The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

#### Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

#### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this proposed rule would not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### Taking of Private Property

This proposed rule would not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

#### Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this proposed rule under Commandant Instruction M16475.ID and Department of Homeland Security Management Directive 5100.1, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have made a preliminary determination that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the

Instruction. Therefore, we believe that this rule should be categorically excluded, under figure 2-1, paragraph (34)(f), of the Instruction, from further environmental documentation. This rule fits the category selected from paragraph (34)(f) as it would establish an anchorage ground.

A preliminary "Environmental Analysis Check List" and "Categorical Exclusion Determination" are available in the docket where indicated under **ADDRESSES**. Comments on this section will be considered before we make the final decision on whether this rule should be categorically excluded from further environmental review.

#### List of Subjects in 33 CFR Part 110

Anchorage grounds.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 110 as follows:

#### PART 110—ANCHORAGE REGULATIONS

1. The authority citation for part 110 continues to read as follows:

**Authority:** 33 U.S.C. 471; 1221 through 1236, 2030, 2035 and 2071; 33 CFR 1.05-1(g); Department of Homeland Security Delegation No. 0170.1.

2. Add § 110.131 to read as follows:

#### § 110.131 Sheepscot River in vicinity of Edgecomb, Maine.

(a) *Anchorage grounds.* All of the waters enclosed by a line starting from a point located at the southwestern end of Davis Island at latitude 43°59.655' N., longitude 69°39.617' W.; thence to latitude 43°59.687' N., longitude 69°39.691' W.; thence to latitude 43°59.847' N., longitude 69°39.743' W.; thence to latitude 43°59.879' N., longitude 69°39.559' W.; thence to latitude 43°59.856' N., longitude 69°39.488' W.; thence to latitude 43°59.771' N., longitude 69°39.585' W.; thence to the point of beginning.

DATUM: NAD 83

(b) *Regulations.* (1) This anchorage is reserved for vessels of all types, with drafts of from 3 to 12 feet.

(2) These anchorage grounds are authorized for use from May through October.

(3) Vessels are limited to a maximum stay of 1 week.

(4) Fixed moorings, piles or stakes are prohibited.

(5) Vessels must not anchor so as to obstruct the passage of other vessels proceeding to or from other anchorage spaces.

(6) Anchors must not be placed in the channel and no portion of the hull or

rigging of any anchored vessel shall extend outside the limits of the anchorage area.

(7) The anchorage of vessels is under the coordination of the local Harbormaster.

Dated: April 9, 2007.

**Timothy S. Sullivan,**  
Rear Admiral, U.S. Coast Guard, Commander,  
First Coast Guard District.

[FR Doc. E7-9968 Filed 5-23-07; 8:45 am]

BILLING CODE 4910-15-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 110

[CGD01-07-009]

RIN 1625-AA01

#### Anchorage Regulations; Yarmouth, Maine, Casco Bay

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish three special anchorage areas in Yarmouth, Maine on Casco Bay. This action is necessary to facilitate safe navigation in that area and to provide safe and secure anchorages for vessels of not more than 65 feet. This proposal is intended to increase the safety for life and property on Casco Bay, improve the safety of anchored vessels, create workable boundaries for future mooring expansion, and provide for the overall safe and efficient flow of recreational vessels and commerce.

**DATES:** Comments and related material must reach the Coast Guard on or before July 23, 2007.

**ADDRESSES:** You may mail comments and related material to Commander (dpw), First Coast Guard District, 408 Atlantic Ave., Boston, Massachusetts 02110, who maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room 628, First Coast Guard District Boston, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. John J. Mauro, Commander (dpw), First Coast Guard District, 408 Atlantic Ave., Boston, Massachusetts 02110, Telephone (617) 223-8355 or e-mail at [John.J.Mauro@uscg.mil](mailto:John.J.Mauro@uscg.mil).

## SUPPLEMENTARY INFORMATION:

### Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD01-07-009), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

### Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the Waterways Management Branch at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

### Background and Purpose

The proposed rule is the result of collaboration with the Town of Yarmouth's Harbor and Waterfront Committee and Yarmouth town council to accommodate vessels mooring in the area. The proposed rule would establish three separate special anchorage areas organized from the current accommodations of approximately 350 moorings. The proposed rule is designed to aid the Town of Yarmouth in enforcing its mooring and boating regulations by clearly defining the available mooring fields. In addition, the proposed rule will provide finite expansion boundaries of town mooring fields, ensure that there are transient anchorage areas available, and extend the convenience of a special anchorage to local vessel owners. The areas under consideration are currently established mooring areas.

In developing this proposed rule, the Coast Guard has consulted with the Army Corps of Engineers, Northeast, located at 696 Virginia Road., Concord, MA 01742.

### Discussion of Proposed Rule

The proposed rule would create three special anchorage areas located in Yarmouth, Maine on Casco Bay: (1) Littlejohn Island/Doyle Point Cousins

Island Special Anchorage,(2) Madeleine and Sandy Point Special Anchorage, and (3) Drinkwater Point and Princes Point Special Anchorage.

The Town of Yarmouth has delineated transient anchorage areas in each of the three special anchorage areas. These transient anchorage areas are located near or next to town-owned property that has limited access to parking and, in some cases, dock tie-up space.

The special anchorage areas would be limited to vessels no greater than 65 feet in length. Vessels not more than 65 feet in length are not required to sound signals as required by rule 35 of the Inland Navigation Rules (33 U.S.C. 2035) nor exhibit anchor lights or shapes required by rule 30 of the Inland Navigation Rules (33 U.S.C 2030) when at anchor in a special anchorage area. Mariners utilizing the anchorage areas are encouraged to contact local and state authorities, such as the local harbormaster, to ensure compliance with any additional applicable state and local laws. Such laws may involve, for example, compliance with direction from the local harbormaster when placing or using moorings within the anchorage.

### Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation is unnecessary.

This finding is based on the fact that this proposal conforms to the changing needs of the Town of Yarmouth, the changing needs of recreational, fishing and commercial vessels, and to make the best use of the available navigable water. The proposed special anchorage areas do not impede the passage of recreational or commercial vessels as they are not located in the primary entrance channel to Yarmouth Harbor. The proposed special anchorage areas are a consolidation and delineation of existing mooring fields. Thus, the special anchorage area will have a minimal economic impact. This proposed rule is in the interest of safe navigation, protection of the vessels moored at the Town of Yarmouth, and protection of the marine environment.