

free of stems and leaves and must be inspected in Hawaii and found free of the cassava red mite (*Oligonychus biharensis*) and adults and pupae of the order Lepidoptera.

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## PART 318—HAWAIIAN AND TERRITORIAL QUARANTINE NOTICES

4. The authority citation for part 318 continues to read as follows:

**Authority:** 7 U.S.C. 7701–7772 and 7781–7786; 7 CFR 2.22, 2.80, and 371.3.

### § 318.13–4f [Amended]

5. Section 318.13–4f is amended as follows:

a. By adding the word “breadfruit,” before the words “Capsicum spp. (peppers)”.

b. By adding the words “cowpea pods,” before the words “Cucurbita spp. (squash)”.

c. By adding the word “dragon fruit,” before the word “eggplant”.

d. By adding the word “jackfruit,” before the word “litchi”.

e. By adding the words “mangosteen, melon, moringa pods” before the word “papaya”.

Done in Washington, DC, this 8th day of November 2007.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E7–22278 Filed 11–14–07; 8:45 am]

**BILLING CODE 3410–34–P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Chapters I and III

[Docket No. FAA–2007–29291]

#### Review of Existing Regulations

**AGENCY:** Federal Aviation Administration, (FAA), DOT.

**ACTION:** Request for comments.

**SUMMARY:** The FAA requests comments from the public to identify those regulations currently in effect that we should amend, remove, or simplify. We are publishing this notice under our ongoing regulatory review program required by Executive Order 12866. Getting public comments is a necessary element of our effort to make our regulations more effective and less burdensome.

**DATES:** Send us your comments no later than January 14, 2008.

**ADDRESSES:** You may send comments identified by Docket Number FAA–

2007–29291 using any of the following methods:

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- Mail: Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.

- Fax: Fax comments to the Docket Management Facility at 202–493–2251.

- Hand Delivery: Bring comments to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For more information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**Privacy:** We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT’s complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

**Docket:** To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Adrian D. Wright, Office of Rulemaking, ARM–103, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–3317; e-mail [adrian.d.wright@faa.gov](mailto:adrian.d.wright@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Congress has authorized the Secretary of Transportation, and by delegation, the Administrator of the Federal Aviation Administration (FAA) to do the following, among other things:

- Develop and maintain a sound regulatory system that is responsive to the needs of the public,

- Regulate air commerce in a way that best promotes safety and fulfills national defense requirements, and
- Oversee, license, and regulate commercial launch and reentry activities and the operation of launch and reentry sites as carried out by U.S. citizens or within the United States.

Anyone interested in further information about FAA’s authority and responsibilities should refer to Title 49 of the United States Code, particularly Subtitle VII, Aviation Programs.

*For many years, the FAA has maintained an active regulatory review program:*

- In 1992, the President announced a regulatory review to “weed out unnecessary and burdensome government regulations, which impose needless costs on consumers and substantially impede economic growth.” In response to a request for public comments published in the **Federal Register** (57 FR 4744, February 7, 1992), the FAA received more than 300 comments.

- In August 1993, the National Commission to Ensure a Strong Competitive Airline Industry (the Commission) recommended the FAA undertake a short-range regulatory review to remove or amend existing regulations to reduce regulatory burdens consistent with safety and security considerations.

- In September 1993, section 5 of Executive Order 12866 (58 FR 51735, October 4, 1993) required each agency to submit a program to the Office of Management and Budget by December 31, 1993, under which the agency will periodically review its existing significant regulations to determine whether any should be changed or removed.

- In January 1994, the FAA published a request for public comments in response to the Commission recommendation and to facilitate the review envisioned by E.O. 12866 (59 FR 1362, January 10, 1994). We received more than 400 comments from 184 commenters.

- In August 1995, the FAA published its proposed plan for periodic regulatory reviews for comment (60 FR 44142, August 24, 1995).

- In October 1996, the FAA adopted its current plan for periodic regulatory reviews based on a three-year cycle (61 FR 53610, October 15, 1996).

- In February 1997, the White House Commission on Aviation Safety and Security recommended the FAA simplify its regulations.

- In May 1997, the FAA published its first request for comments under the three-year review program and in accord

with the Commission recommendation (62 FR 26894, May 15, 1997). We received 82 comments and published results of the review in October 1998 (63 FR 56539, October 22, 1998).

- In July 2000, the FAA began the second round of regulatory review under the three-year program (65 FR 43265, July 13, 2000). We received 476 comments and published results of the review in January 2002 (67 FR 4680, January 31, 2002).

- In February 2004, the FAA began the third round of regulatory review under the three-year program (65 FR 8575, February 25, 2004). We received 97 comments from 30 different commenters and published results of the review in June 2007 (72 FR 34999, June 26, 2007).

In summary, since 1992 the FAA has completed five rounds of regulatory review and has received approximately 1,350 comments.

#### Request for Comments

As part of its ongoing plan for periodic regulatory reviews, the FAA is requesting the public identify three regulations, in priority order, that it believes we should amend or eliminate.

Our goal is to identify regulations that impose undue regulatory burden; are no longer necessary; or overlay, duplicate, or conflict with other Federal regulations. In order to focus on areas of greatest interest, and to effectively manage agency resources, the FAA asks that commenters responding to this notice limit their input to three issues they consider most urgent, and to list them in priority order.

The FAA will review the issues addressed by the commenters against its regulatory agenda and rulemaking program efforts and adjust its regulatory priorities consistent with its statutory responsibilities. At the end of this process, the FAA will publish a summary and general disposition of comments and indicate, where appropriate, how we will adjust our regulatory priorities.

Also, we request the public provide any specific suggestions where rules could be developed as performance-based rather than prescriptive, and any specific plain-language that might be used, and provide suggested language on how those rules should be written.

Issued in Washington, DC, on November 7, 2007.

**Nick Sabatini,**

*Associate Administrator for Aviation Safety.*  
[FR Doc. E7-22346 Filed 11-14-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-40-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Boeing Model 747 Series Airplanes Powered by General Electric (GE) CF6-45/50, Pratt & Whitney (P&W) JT9D-70, or JT9D-7 Series Engines**

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

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to certain Boeing Model 747 series airplanes powered by GE CF6-45/50, P&W JT9D-70, or JT9D-7 series engines. That action would have required repetitive inspections to find cracks and broken fasteners of the inboard and outboard nacelle struts of the rear engine mount bulkhead, and repair, if necessary. For certain airplanes, that action would have provided for an optional terminating modification for the inspections of the outboard nacelle struts. Since the issuance of the NPRM, the Federal Aviation Administration (FAA) has received new data of other issues related to the unsafe condition. The data include many new reports of additional web and frame cracks and sheared attachment fasteners, and reports of cracks on the outboard struts of airplanes not identified in the applicability of the NPRM, in addition to the comments received for the NPRM. We have determined from these data that the corrective actions required by the NPRM are inadequate for addressing the identified unsafe condition. Accordingly, the proposed rule is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** Tamara Anderson, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 917-6421; fax (425) 917-6590.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD), applicable to certain Boeing Model 747 series airplanes powered by General Electric (GE) CF6-45/50, Pratt & Whitney (P&W) JT9D-70, or JT9D-7 series engines, was published as a notice of proposed rulemaking (NPRM)

in the *Federal Register* on January 9, 2002 (67 FR 1167). The proposed rule would have required repetitive inspections to find cracks and broken fasteners of the inboard and outboard nacelle struts of the rear engine mount bulkhead, and repair, if necessary. For certain airplanes, the proposed rule would have provided for an optional terminating modification for the inspections of the outboard nacelle struts. That action was prompted by reports indicating that fatigue cracking of the inboard and outboard nacelle struts of the rear engine mount bulkhead was found. The proposed actions were intended to find and fix cracks and broken fasteners of the inboard and outboard nacelle struts, which could result in possible loss of the bulkhead load path and consequent separation of the engine from the airplane.

#### **Actions That Occurred Since the NPRM Was Issued**

Since the issuance of the NPRM, the Federal Aviation Administration (FAA) has received new data of other issues related to the unsafe condition. The data include many new reports of additional web and frame cracks and sheared attachment fasteners, and reports of cracks on the outboard struts of airplanes not identified in the applicability of the NPRM, in addition to the comments received for the NPRM. We have determined from these data that the corrective actions required by the NPRM are inadequate for addressing the identified unsafe condition. Therefore, we are issuing a new rulemaking to adequately address the identified unsafe condition.

#### **FAA's Conclusions**

Upon further consideration, the FAA has determined that the corrective actions required by the NPRM are inadequate for addressing the identified unsafe condition. Accordingly, the proposed rule is hereby withdrawn.

Withdrawal of this NPRM constitutes only such action, and does not preclude the agency from issuing another action in the future, nor does it commit the agency to any course of action in the future.

#### **Regulatory Impact**

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).