

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 have 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 that the proposed AD:

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. Would 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. You may get a copy of this summary at the address listed under **ADDRESSES**.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Under the authority delegated to me by the Administrator, the Federal Aviation Administration 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 airworthiness directive:

**Pratt & Whitney:** Docket No. FAA-2007-29110; Directorate Identifier 2007-NE-35-AD.

#### Comments Due Date

(a) The Federal Aviation Administration (FAA) must receive comments on this airworthiness directive (AD) action by December 10, 2007.

### Affected ADs

- (b) None.

### Applicability

(c) This AD applies to Pratt & Whitney (PW) PW4090 and PW4090-3 turbofan engines with front turbine hub part number (P/N) 53L601, installed. These engines are installed on, but not limited to, Boeing 777-200 series and 777-300 series airplanes.

### Unsafe Condition

(d) This AD results from PW updating the low-cycle-fatigue (LCF) life analysis for front turbine hubs, P/N 53L601. We are proposing this AD to prevent an uncontained failure of the front turbine hub, resulting in an in-flight engine shutdown and possible damage to the airplane.

### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified unless the actions have already been done.

(f) Remove front turbine hubs, P/N 53L601, from service and install a serviceable front turbine hub, as follows:

(1) For front turbine hubs that have accumulated fewer than 3,370 cycles-since-new (CSN) on the effective date of this AD, remove from service before the hub accumulates 9,370 CSN.

(2) For front turbine hubs that have accumulated 3,370 or more CSN, but fewer than 9,370 CSN on the effective date of this AD, do the following:

(i) For engines that have an engine shop visit (ESV) before the front turbine hub accumulates 9,370 CSN, remove the front turbine hub from service before the hub accumulates 9,370 CSN.

(ii) For engines that do not have an ESV before the front turbine hub accumulates 9,370 CSN, remove the front turbine hub from service at the next ESV, or before the hub accumulates an additional 6,000 cycles-since-last high pressure turbine overhaul, whichever occurs first, but not to exceed 12,000 CSN.

(3) For front turbine hubs that have accumulated 9,370 or more CSN on the effective date of this AD, remove the front turbine hub from service at the next ESV, or before the hub accumulates 12,000 CSN, whichever occurs first.

(g) This AD establishes a new reduced published life limit for the PW4090 turbine front hub, P/N 53L601, of 9,370 CSN, which is published in Chapter 05, Time Limits Section 05-10-01, of the PW4000 Series Engine Shop Manual, P/N 51A751. The following conditions also apply:

(1) Except as provided in paragraphs (f)(2)(ii) and (f)(3) of this AD, no alternative retirement lives may be approved for the PW4090 front turbine hub, P/N 53L601.

(2) After the effective date of this AD, PW4090 front turbine hub, P/N 53L601, may not be installed or reinstalled on an engine if the hub has accumulated more than 9,370 CSN.

(h) For the purposes of this AD, an "engine shop visit" is:

- (1) The induction of an engine into the shop for maintenance involving the

separation of any major mating engine flange, except that for the separation of engine flanges solely for the purposes of transportation without subsequent engine maintenance does not constitute an engine shop visit; or

- (2) The removal of a disk or spool.

### Alternative Methods of Compliance

(i) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

### Related Information

(j) Information on an approved front turbine hub rework procedure for increased life is available from the manufacturer. See Pratt & Whitney Service Bulletin PW4G-112-72-290, dated July 2, 2007. The reworked front turbine hub, P/N 53L601-001, is not affected by this AD.

(k) Contact Mark Riley, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [mark.riley@faa.gov](mailto:mark.riley@faa.gov), telephone (781) 238-7758; fax (781) 238-7199, for more information about this AD.

Issued in Burlington, Massachusetts, on October 2, 2007.

**Peter A. White,**

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

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**BILLING CODE 4910-13-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-138707-06]

RIN 1545-BF90

### Exclusions From Gross Income of Foreign Corporations; Hearing Cancellation

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Cancellation of notice of public hearing on proposed rulemaking by cross-reference to temporary regulations.

**SUMMARY:** This document cancels a public hearing on proposed regulations relating to income derived by foreign corporations from the international operation of ships or aircraft.

**DATES:** The public hearing, originally scheduled for October 24, 2007 at 10 a.m. is cancelled.

**FOR FURTHER INFORMATION CONTACT:** Kelly Banks of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel

(Procedure and Administration) at (202) 622-0392 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing (REG-138707-06) that appeared in the **Federal Register** on Monday, June 25, 2007 (72 FR 34650), announced that a public hearing was scheduled for October 24, 2007, at 10 a.m. in the IRS Auditorium, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC. The subject of the public hearing is under section 883 of the Internal Revenue Code.

The public comment period for these regulations expired on September 24, 2007. The notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing instructed those interested in testifying at the public hearing to submit a request to speak and an outline of the topics to be addressed by September 24, 2007. As of September 28, 2007, no one has requested to speak and therefore, the public hearing scheduled for October 24, 2007, is cancelled.

**LaNita VanDyke,**

*Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. E7-19871 Filed 10-9-07; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Parts 780, 784, 816, and 817

[Docket Number OSM-2007-0007]

**RIN 1029-AC04**

### Excess Spoil, Coal Mine Waste, and Buffers for Waters of the United States

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Proposed rule; notice of public hearings and extension of comment period.

**SUMMARY:** We, the Office of Surface Mining Reclamation and Enforcement (OSM), are announcing a 30-day extension of the comment period on a proposed rule published in the August 24, 2007, **Federal Register** and the accompanying draft environmental impact statement (DEIS). This notice also provides notice of the dates and locations for the public hearings that we

will hold on the proposed rule and DEIS. The proposed rule concerns buffer zones, stream diversions, siltation structures, impoundments, and the creation and disposal of excess spoil and coal mine waste.

**DATES:** We will accept written comments on the proposed rule and DEIS on or before November 23, 2007. We will hold public hearings on the proposed rule and DEIS on October 24, 2007, at the locations listed in the **SUPPLEMENTARY INFORMATION** section of this notice.

**ADDRESSES:** Please submit comments by one of the methods listed below. We cannot guarantee that comments submitted by other means or to other addresses will be included in the docket for this rulemaking.

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. The proposed rule and DEIS are listed under the agency name "Office of Surface Mining Reclamation and Enforcement." The proposed rule has been assigned Docket ID: OSM-2007-0007. The DEIS has been assigned Docket ID: OSM-2007-0008.

If you would like to submit comments through the Federal eRulemaking Portal, go to [www.regulations.gov](http://www.regulations.gov) and do the following. Find the blue banner with the words "Search Documents" and go to "Optional Step 2." Select "Office of Surface Mining Reclamation and Enforcement" from the agency drop-down menu, then click the "Submit" button at the bottom of the page. The next screen will have the title "Document Search Results." The proposed rule is listed under the Docket ID as OSM-2007-0007. If you click on OSM-2007-0007, you can view the proposed rule, add comments, and view comments submitted by other persons. The DEIS is listed under the Docket ID as OSM-2007-0008. If you click on OSM-2007-0008, you can view the DEIS, add comments, and view comments submitted by other persons.

- *Mail/Hand-Delivery/Courier:* Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 252 SIB, 1951 Constitution Avenue, NW., Washington, DC 20240.

#### Reviewing a Copy of the DEIS

You may review the DEIS at any of the public libraries listed in the notice of availability published in the **Federal Register** on August 24, 2007 (72 FR 48678-48679) or at the following locations:

Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 101 SIB, 1951 Constitution Avenue, NW.,

Washington, DC 20240, 202-208-4264

Office of Surface Mining Reclamation and Enforcement, Appalachian Regional Office, Three Parkway Center, Pittsburgh, PA 15220, 412-937-2909

Office of Surface Mining Reclamation and Enforcement, Mid-Continent Regional Office, Alton Federal Building, 501 Belle Street, Room 216, Alton, IL 62002, 618-463-6460

Office of Surface Mining Reclamation and Enforcement, Western Regional Office, 1999 Broadway, Suite 3320, Denver, CO 80201-6667, 303-844-1401

#### Public Hearing Locations

See the **SUPPLEMENTARY INFORMATION** section of this notice for the addresses at which we will hold public hearings on the proposed rule and DEIS.

**FOR FURTHER INFORMATION CONTACT:** Dennis G. Rice, Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior, 1951 Constitution Avenue, NW., Washington, DC 20240. Telephone: 202-208-2829.

**SUPPLEMENTARY INFORMATION:** On August 24, 2007 (72 FR 48890), we published a proposed rule proposing to amend our regulations concerning stream buffer zones, stream diversions, siltation structures, impoundments, and the creation and disposal of excess spoil and coal mine waste. Among other things, this proposed rule would require that surface coal mining operations be designed to minimize the creation of excess spoil and the adverse environmental impacts of fills constructed to dispose of excess spoil and coal mine waste. It would apply the buffer requirement to all waters of the United States, not just perennial and intermittent streams. The rule would clearly specify the activities to which that requirement does and does not apply and the limitations on conducting activities within the buffer, either under a variance or an exception. It also would specify requirements to protect aquatic and other resources when an activity is conducted under either a variance or an exception.

The comment period on the proposed rule and the DEIS was scheduled to close October 23, 2007. However, we received numerous requests to extend the comment period. After reviewing the requests, we are extending the deadline for submission of comments by 30 days. The comment period for both the proposed rule and the DEIS will now close November 23, 2007.

We also received numerous requests to hold public hearings on the proposed