

As noted in the initial regulatory flexibility analysis, USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this final rule.

A proposed rule concerning this action was published in the **Federal Register** on March 18, 2008 (73 FR 14400). Copies of the proposed rule were also mailed or sent via facsimile to all Vidalia onion handlers. Finally, the proposal was made available through the Internet by USDA and the Office of the Federal Register. A 30-day comment period ending April 17, 2008, was provided for interested persons to respond to the proposal. No comments were received.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/fv/moab.html>. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it also found and determined that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because handlers are already receiving 2008 crop Vidalia onions from growers. In addition, the fiscal year began on January 1, 2008, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable Vidalia onions handled during such fiscal period. The Committee also needs to have sufficient funds to pay its expenses which are incurred on a continuous basis. Further, handlers are aware of this rule which was recommended at a public meeting. Also, a 30-day comment period was provided for in the proposed rule.

#### List of Subjects in 7 CFR Part 955

Onions, Marketing agreements, Reporting and recordkeeping requirements.

■ For the reasons set forth in the preamble, 7 CFR part 955 is amended as follows:

#### PART 955—VIDALIA ONIONS GROWN IN GEORGIA

■ 1. The authority citation for 7 CFR part 955 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Section 955.209 is revised to read as follows:

#### § 955.209 Assessment rate.

On and after January 1, 2008, an assessment rate of \$0.13 per 40-pound carton or equivalent is established for Vidalia onions.

Dated: May 29, 2008.

Lloyd C. Day,

Administrator, Agricultural Marketing Service.

[FR Doc. E8–12318 Filed 6–2–08; 8:45 am]

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#### NUCLEAR REGULATORY COMMISSION

#### 10 CFR Part 50

[NRC–2001–0010]

RIN 3150–AG24

#### Licenses, Certifications, and Approvals for Nuclear Power Plants; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule: correcting amendment.

**SUMMARY:** On August 28, 2007 (72 FR 49352), the Nuclear Regulatory Commission (NRC) published a final rule revising the provisions applicable to the licensing and approval processes for nuclear power plants (i.e., early site permit, standard design approval, standard design certification, combined license, and manufacturing license). These amendments clarify the applicability of various requirements to each of the licensing processes by making necessary conforming amendments throughout the NRC's regulations to enhance the NRC's regulatory effectiveness and efficiency in implementing its licensing and approval processes. This document is necessary to include a paragraph that was inadvertently omitted in that final rule.

**DATES:** The correction is effective June 3, 2008, and is applicable to September 27, 2007.

**FOR FURTHER INFORMATION CONTACT:** Michael T. Lesar, Chief, Rulemaking, Directives, and Editing Branch, Division of Administrative Services, Office of Administrative Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone 301–415–7163, e-mail [Michael.Lesar@nrc.gov](mailto:Michael.Lesar@nrc.gov).

**SUPPLEMENTARY INFORMATION:** This document corrects an inadvertent

omission in the Code of Federal Regulations by adding 10 CFR 50.55a(f)(3)(iv)(B).

■ For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and 5 U.S.C. 552 and 553, the NRC is adopting the following amendment to 10 CFR part 50.

#### PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

■ 1. The authority citation for part 50 continues to read as follows:

**Authority:** Secs. 102, 103, 104, 105, 161, 182, 183, 186, 189, 68 Stat. 936, 937, 938, 948, 953, 954, 955, 956, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2132, 2133, 2134, 2135, 2201, 2232, 2233, 2236, 2239, 2282); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note); sec. 651(e), Pub. L. 109–58, 119 Stat. 806–810 (42 U.S.C. 2014, 2021, 2021b, 2111).

Section 50.7 also issued under Pub. L. 95–601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102–486, sec. 2902, 106 Stat. 3123 (42 U.S.C. 5841). Section 50.10 also issued under secs. 101, 185, 68 Stat. 955, as amended (42 U.S.C. 2131, 2235); sec. 102, Pub. L. 91–190, 83 Stat. 853 (42 U.S.C. 4332). Sections 50.13, 50.54(dd), and 50.103 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138). Sections 50.23, 50.35, 50.55, and 50.56 also issued under sec. 185, 68 Stat. 955 (42 U.S.C. 2235). Sections 50.33a, 50.55a and appendix Q also issued under sec. 102, Pub. L. 91–190, 83 Stat. 853 (42 U.S.C. 4332). Sections 50.34 and 50.54 also issued under sec. 204, 88 Stat. 1245 (42 U.S.C. 5844). Sections 50.58, 50.91, and 50.92 also issued under Pub. L. 97–415, 96 Stat. 2073 (42 U.S.C. 2239). Section 50.78 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Sections 50.80–50.81 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Appendix F also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

■ 2. In § 50.55a, paragraph (f)(3)(iv)(B) is added to read as follows:

#### § 50.55a Codes and standards.

\* \* \* \* \*

(f) \* \* \*

(3) \* \* \*

(iv) \* \* \*

(B) Pumps and valves, in facilities whose construction permit under this part or design certification or combined license under part 52 of this chapter is issued on or after November 22, 1999, which are classified as ASME Code Class 2 and 3 must be designed and be provided with access to enable the performance of inservice testing of the pumps and valves for assessing operational readiness set forth in

editions and addenda of the ASME OM Code (or the optional ASME Code cases listed in the NRC Regulatory Guide 1.192 that is incorporated by reference in paragraph (b) of this section) referenced in paragraph (b)(3) of this section at the time the construction permit, combined license, or design certification is issued.

\* \* \* \* \*

Dated at Rockville, Maryland, this 28th day of May 2008.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. E8-12345 Filed 6-2-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 27 and 29

[Docket No.: FAA-2006-25414; Amendment Nos. 27-44 and 29-51]

RIN 2120-AH87

#### Performance and Handling Qualities Requirements for Rotorcraft; Notice of Approval for Information Collection

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

**ACTION:** Final rule; Office of Management and Budget approval for information collection.

**SUMMARY:** This document announces the Office of Management and Budget's (OMB) approval of the information collection requirement for the final rule entitled Performance and Handling Qualities Requirements for Rotorcraft (Amendments 27-44 and 29-51), published February 29, 2008.

**DATES:** The FAA received OMB approval for the information collection requirements for Performance and Handling Qualities Requirements for Rotorcraft, effective March 25, 2008.

**FOR FURTHER INFORMATION CONTACT:** Jeff Trang, Rotorcraft Standards Staff, ASW-111, Federal Aviation Administration, Fort Worth, Texas 76193-0111; telephone (817) 222-5135; facsimile (817) 222-5961, e-mail [jeff.trang@faa.gov](mailto:jeff.trang@faa.gov).

**SUPPLEMENTARY INFORMATION:** On February 29, 2008, the FAA published the final rule, "Performance and Handling Qualities Requirements for Rotorcraft" (73 FR 10987). The rule provided new and revised airworthiness standards for normal and transport category rotorcraft due to technological advances in design and operational

trends in normal and transport rotorcraft performance and handling qualities. The rule contained information collection requirements that had not yet been approved by OMB at the time of publication. In the **DATES** section of the rule, the FAA noted that affected parties did not need to comply with the information collection requirements until OMB approved the FAA's request to collect the information.

In accordance with the Paperwork Reduction Act of 1995, OMB approved the information collection request, without change, on March 25, 2008, and assigned OMB Control Number 2120-0726. This notice informs affected parties that effective March 25, 2008, the information collection requirements for Performance and Handling Qualities Requirements for Rotorcraft (Amendments 27-44 and 29-51) are approved. This information collection approval expires on March 31, 2011.

#### Authority for This Rulemaking

The FAA's authority to issue rules on aviation safety is found in Title 49 of the United States Code. 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.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements," Section 44702, "Issuance of Certificates," and section 44704, "Type certificates, production certificates, and airworthiness certificates." Under section 44701, the FAA is charged with prescribing regulations and minimum standards for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. Under section 44702, the FAA may issue various certificates including type certificates, production certificates, and airworthiness certificates. Under section 44704, the FAA shall issue type certificates for aircraft, aircraft engines, propellers, and specified appliances when we find that the product is properly designed and manufactured, performs properly, and meets the regulations and minimum prescribed standards. This regulation is within the scope of that authority because it promotes safety by updating the existing minimum prescribed standards used during the type certification process to reflect the enhanced performance and handling quality capabilities of rotorcraft.

Issued in Washington, DC, May 27, 2008.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

[FR Doc. E8-12363 Filed 6-2-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2008-0025; Airspace Docket No. 08-AGL-3]

#### Establishment of Class E Airspace; La Pointe, WI

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

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This action confirms the effective date of the direct final rule that establishes Class E airspace at La Pointe, WI, published in the **Federal Register** February 21, 2008, 73 FR 9452, Docket No. FAA-2008-0025, Airspace Docket No. 08-AGL-3.

**DATES:** *Effective Date:* 0901 UTC April 10, 2008. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Gary A. Mallett, Central Service Center, Operations Systems Group, Federal Aviation Administration, Southwest Region, Ft. Worth, TX 76193-0530; telephone (817) 222-4949.

#### SUPPLEMENTARY INFORMATION:

##### History

The FAA published a direct final rule with request for comments in the **Federal Register** February 21, 2008, (73 FR 9452), Docket No. FAA-2008-0025, Airspace Docket No. 08-AGL-3. The FAA uses the direct final rule procedure for non-controversial rules where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit an adverse comment, was received within the comment period, the regulation would become effective on April 10, 2008.

No adverse comments were received; thus, this notice confirms that the direct final rule has become effective on this date.