

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.

You can find our regulatory evaluation and the estimated costs of compliance 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:

**McDonnell Douglas:** Docket No. FAA-2008-1324; Directorate Identifier 2008-NM-101-AD.

#### Comments Due Date

- (a) We must receive comments by February 6, 2009.

#### Affected ADs

- (b) None.

#### Applicability

- (c) This AD applies to all McDonnell Douglas airplanes identified in Table 1 of this AD, certificated in any category.

TABLE 1—APPLICABILITY

| Model   |
|---|
| (1) DC-8-51, DC-8-52, DC-8-53, and DC-8-55 airplanes. |
| (2) DC-8F-54 and DC-8F-55 airplanes.                  |
| (3) DC-8-61, DC-8-62, and DC-8-63 airplanes.          |
| (4) DC-8-61F, DC-8-62F, and DC-8-63F airplanes.       |
| (5) DC-8-71, DC-8-72, and DC-8-73 airplanes.          |
| (6) DC-8-71F, DC-8-72F, and DC-8-73F airplanes.       |

#### Unsafe Condition

- (d) This AD results from fuel system reviews conducted by the manufacturer. We are issuing this AD to prevent pump inlet friction (i.e., overheating or sparking) when the fuel pumps are continually run as the

center wing fuel tank becomes empty, and/or electrical arc burnthrough, which could result in a fuel tank fire or explosion.

#### Compliance

- (e) Comply with this AD within the compliance times specified, unless already done.

#### Airplane Flight Manual (AFM) Revision

- (f) Within 14 days after the effective date of this AD, revise the Certificate Limitations Section of the DC-8 AFM to include the following procedures that preclude dry running of fuel pumps and/or electrical arc burnthrough (This may be done by inserting a copy of this AD into the AFM):

"During level flight, the applicable alternate or center wing auxiliary tank boost pump switch must be placed in the OFF position no more than 5 minutes after the auto fill light is continuously illuminated. DO NOT reset any tripped fuel pump circuit breakers."

#### Alternative Methods of Compliance (AMOCs)

- (g)(1) The Manager, Los Angeles Aircraft Certification Office (ACO), FAA, ATTN: William Bond, Aerospace Engineer, Propulsion Branch, ANM-140L, FAA, Los Angeles ACO, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5253; fax (562) 627-5210; has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

- (2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. 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.

Issued in Renton, Washington, on December 12, 2008.

**Michael J. Kaszycki,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E8-30521 Filed 12-22-08; 8:45 am]

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#### FOR FURTHER INFORMATION CONTACT:

Philip A. Selleck, Regulations Program Manager, 1849 C St., NW., Washington, DC 20240 (202) 208-4206; e-mail [philip\\_selleck@nps.gov](mailto:philip_selleck@nps.gov).

#### Correction

In proposed rule FR Doc. E8-29892, beginning on page 76987 in the issue of December 18, 2008, make the following correction to the text of the proposed rule. On page 76990, in the 2nd column, add at the end of § 4.30 the following paragraphs (f) and (g):

#### § 4.30 Bicycles.

\* \* \* \* \*

- (f) A person operating a bicycle is subject to all sections of this part that apply to an operator of a motor vehicle, except §§ 4.4, 4.10, 4.11 and 4.14.

- (g) The following are prohibited:

(1) Possessing a bicycle in a wilderness area established by Federal statute.

(2) Operating a bicycle during periods of low visibility, or while traveling through a tunnel, or between sunset and sunrise, without exhibiting on the operator or bicycle a white light or reflector that is visible from a distance of at least 500 feet to the front and with a red light or reflector visible from at least 200 feet to the rear.

(3) Operating a bicycle abreast of another bicycle except where authorized by the superintendent.

(4) Operating a bicycle while consuming an alcoholic beverage or carrying in hand an open container of an alcoholic beverage.

Dated: December 18, 2008.

**Lyle Lavery,**

*Assistant Secretary, Fish and Wildlife and Parks.*

[FR Doc. E8-30649 Filed 12-22-08; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### 36 CFR Part 4

#### RIN 1024-AD72

#### Vehicles and Traffic Safety

**AGENCY:** National Park Service, Interior.

**ACTION:** Proposed rule; correction.

**SUMMARY:** The National Park Service published a proposed rule revising 36 CFR 4.30 in the **Federal Register** on December 18, 2008, 73 FR 76987, inadvertently leaving out the last two paragraphs. This correction restores that text.

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 82

[EPA-HQ-OAR-2008-0496; FRL-8752-7]

#### RIN 2060-A076

#### Protection of Stratospheric Ozone: Adjustments to the Allowance System for Controlling HCFC Production, Import, and Export

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to adjust the allowance system for control of U.S. consumption and production of