

fuel tank explosion and consequent loss of the airplane.

The installation of the auxiliary hydraulic pump wire harness on Model DC-9-82 (MD-82) airplanes is similar to that on the affected Model MD-90-30 airplanes. Therefore, all of these models are subject to the same unsafe condition.

#### Relevant Service Information

We have reviewed Boeing Alert Service Bulletin MD90-29A021, dated May 15, 2007. The service bulletin describes procedures for replacing the wire harness of the auxiliary hydraulic pump with a new wire harness, and routing the new wire harness outside of the tire burst area. Accomplishing the actions specified in the service information is intended to adequately address the unsafe condition.

#### FAA's Determination and Requirements of the Proposed AD

We have evaluated all pertinent information and identified an unsafe condition that is likely to exist or develop on other airplanes of this same type design. For this reason, we are proposing this AD, which would require accomplishing the actions specified in the service information described previously.

#### Costs of Compliance

There are about 110 airplanes of the affected design in the worldwide fleet. This proposed AD would affect about 16 airplanes of U.S. registry. The proposed actions would take about 7 work hours per airplane, at an average labor rate of \$80 per work hour. Required parts would cost about \$3,997 per airplane. Based on these figures, the estimated cost of the proposed AD for U.S. operators is \$72,912, or \$4,557 per airplane.

#### 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 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 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. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

#### 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 Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**McDonnell Douglas:** Docket No. FAA-2007-0074; Directorate Identifier 2007-NM-151-AD.

#### Comments Due Date

(a) The FAA must receive comments on this AD action by December 7, 2007.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to McDonnell Douglas Model MD-90-30 airplanes, certificated in any category; as identified in Boeing Alert

Service Bulletin MD90-29A021, dated May 15, 2007.

#### Unsafe Condition

(d) This AD results from fuel system reviews conducted by the manufacturer, as well as reports of shorted wires in the right wheel well and evidence of arcing on the power cables of the auxiliary hydraulic pump. We are issuing this AD to prevent shorted wires or electrical arcing at the auxiliary hydraulic pump, which could result in a fire in the wheel well. We are also issuing this AD to reduce the potential of an ignition source adjacent to the fuel tanks, which, in combination with flammable fuel vapors, could result in a fuel tank explosion and consequent loss of 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.

#### Replacement

(f) Within 18 months after the effective date of this AD, replace the wire harness of the auxiliary hydraulic pump with a new wire harness and route the new wire harness outside of the tire burst area, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin MD90-29A021, dated May 15, 2007.

#### Alternative Methods of Compliance (AMOCs)

(g)(1) The Manager, Los Angeles Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with 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 October 12, 2007.

**Stephen P. Boyd,**

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

[FR Doc. E7-20823 Filed 10-22-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA-2007-28632; Airspace Docket No. 07-ASW-3]

RIN 2120-AA66

#### Proposed Modification of Restricted Area 3404; Crane, IN

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to modify Restricted Area 3404 (R-3404) at Crane, IN. The United States (U.S.) Navy requests that the FAA take action to modify R-3404 for the protection of nonparticipating aircraft from fragments generated during the disposal of a variety of types of ordnance.

**DATES:** Comments must be received on or before December 7, 2007.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; telephone: (202) 366-9826. You must identify FAA Docket No. FAA-2007-28632 and Airspace Docket No. 07-ASW-3, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Steve Rohring, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2007-28632 and Airspace Docket No. 07-ASW-3) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2007-28632 and Airspace Docket No. 07-ASW-3." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for

comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRM's**

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the **Federal Register's** Web page at <http://www.gpoaccess.gov/fr/index.html>.

You may review the public docket containing the proposal, any comments received and any final disposition in person at the Docket Management Facility (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, Federal Aviation Administration, 2601 Meacham Blvd; Fort Worth, TX 76193-0500.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**History**

On January 31, 2007, the U.S. Navy requested that the FAA take action to modify R-3404. The requested action is needed to provide additional airspace to protect nonparticipating aircraft from blast fragments generated during the disposal of a variety of types of ordnance at the Naval Support Activity Crane's (NSA Crane) Demolition Range.

**The Proposal**

At the request of the U.S. Navy, the FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 73 to modify R-3404. The modification would better center the restricted area over NSA Crane's blast area, enlarge the restricted area from a 1/2-nm radius to a 1-nm radius, increase the ceiling from 2,500 feet MSL to 4,100 feet MSL, and change the name of the using agency from "Commanding Officer, Naval Ammunition Depot,

Crane, IN" to "U.S. Navy, Crane Division, Naval Surface Warfare Center tenant of NSA Crane."

Section 73.34 of Title 14 CFR part 73 was republished in FAA Order 7400.8N, effective February 16, 2007.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding 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 I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify R-3404, Crane, IN., for the protection of nonparticipating aircraft during the disposal of a variety of types of ordnance.

**Environmental Review**

This proposal will be subjected to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," prior to any FAA final regulatory action.

**List of Subjects in 14 CFR Part 73**

Airspace, Prohibited areas, Restricted areas.

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as follows:

**PART 73—SPECIAL USE AIRSPACE**

1. The authority citation for part 73 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

**§ 73.34 [Amended]**

2. § 73.34 is amended as follows:

\* \* \* \* \*

**R-3404—Crane, IN [Revised]**

Boundaries. That airspace within a 1 NM radius of lat. 38°49'30" N., long. 86°50'08" W. Designated altitudes. Surface to and including 4,100 feet MSL.

Times of Designation. Sunrise to sunset, daily from May 1 through and including November 1. Other times by NOTAM 24 hours in advance.

Controlling Agency. FAA, Terre Haute ATCT.

Using Agency. U.S. Navy, Crane Division, Naval Surface Warfare Center tenant of NSA Crane

\* \* \* \* \*

Issued in Washington, DC, October 16, 2007.

**Paul Gallant,**

*Acting Manager, Airspace and Rules Group.*

[FR Doc. E7–20795 Filed 10–22–07; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 15**

[Docket No. 2005P–0450]

**Salt and Sodium; Petition to Revise the Regulatory Status of Salt and Establish Food Labeling Requirements Regarding Salt and Sodium; Public Hearing; Request for Comments**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice of public hearing; notice of availability of citizen petition; request for comments.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing a public hearing concerning FDA's policies regarding salt (sodium chloride) and sodium in food. FDA also is announcing the availability for comment of a citizen petition, submitted by the Center for Science in the Public Interest (CSPI), requesting that FDA make changes to the regulatory status of salt, require limits on salt in processed foods, and require health messages related to salt and sodium. The purpose of the hearing is for FDA to share its

current framework of policies regarding salt and sodium and to solicit information and comments from interested persons on this current framework and on potential future approaches, including approaches described in the citizen petition.

**DATES:** The public hearing will be held on November 29, 2007, from 9 a.m. to 4:30 p.m. Registration begins on October 22, 2007. See section V of this document for other dates associated with participation in the hearing. Submit written or electronic comments (i.e., submissions other than notices of participation and written material associated with an oral presentation) by March 28, 2008. The administrative record of the hearing will remain open until March 28, 2008.

**ADDRESSES:** *Public hearing.* The public hearing will be held at the Harvey W. Wiley Federal Building, Food and Drug Administration, Center for Food Safety and Applied Nutrition, 5100 Paint Branch Pkwy., College Park, MD, 20740–3835 (Metro stop: College Park on the Green Line).

*Registration.* Submit electronic notices of participation for the hearing to <http://www.cfsan.fda.gov/register.html>. We encourage you to use this method of registration, if possible. Submit written notices of participation by mail, fax, or e-mail to Isabelle Howes, U.S. Department of Agriculture Graduate School, 600 Maryland Ave., SW, suite 270, Washington, DC 20024–2520, FAX: 202–479–6801, or e-mail: [Isabelle\\_Howes@grad.usda.gov](mailto:Isabelle_Howes@grad.usda.gov). You may also submit oral notices of participation by phone to Isabelle Howes, U.S. Department of Agriculture Graduate School (see **FOR FURTHER INFORMATION CONTACT**).

*Written material associated with an oral presentation.* Submit written material associated with an oral presentation by mail, fax or e-mail to Isabelle Howes.

*Comments.* Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to <http://www.fda.gov/dockets/ecomments>. For additional information on submitting comments, see section VI in this document.

**FOR FURTHER INFORMATION CONTACT:**

*For questions about registration or written material associated with an oral presentation, or to register orally:* Isabelle Howes, 202–314–4713.

*For all other questions about the hearing or if you need parking or*

*special accommodations due to a disability:* Juanita Yates, Center for Food Safety and Applied Nutrition, Food and Drug Administration, 301–436–1731, e-mail: [Juanita.Yates@fda.hhs.gov](mailto:Juanita.Yates@fda.hhs.gov).

**SUPPLEMENTARY INFORMATION:****I. Background****A. Salt****1. Salt in the Human Diet**

Salt (sodium chloride) is an essential part of the diet. Both the sodium and chloride ions are required, for example, to maintain extracellular volume and serum osmolality (Ref. 1). Salt is found naturally in foods such as milk and shellfish (Ref. 1). Salt also is added intentionally as a food ingredient for multiple technical effects in foods, e.g., as a seasoning agent and flavor enhancer, a preservative and curing agent, a formulating and processing aid, and a dough conditioner (47 FR 26590, June 18, 1982 (the 1982 policy notice)).

The Dietary Guidelines for Americans, 2005 (Dietary Guidelines) (Ref. 2), a joint publication of the Department of Health and Human Services and the U.S. Department of Agriculture (USDA), forms the basis for the Federal Government's nutrition programs and policies. Chapter 8 of the Dietary Guidelines reports that, on average, the natural salt content of food accounts for only about 10 percent of total intake, while discretionary salt use (i.e., salt added at the table or while cooking) provides another 5 to 10 percent of total intake. Chapter 8 of the Dietary Guidelines also reports that approximately 75 percent of total salt intake is derived from salt added to processed food by manufacturers.

**2. Adverse Health Effects of Salt**

Excessive sodium has been cited by the scientific community as a contributory factor in the development of hypertension and cardiovascular disease (47 FR 26580). In general, there is a dose-dependent relationship between sodium intake and blood pressure that has been observed to occur throughout the range of levels of sodium intake (Ref. 1). Blood pressures among individuals in certain populations (e.g., persons with hypertension, diabetes, kidney disease, older persons, and African Americans) are more responsive to dietary sodium than blood pressures among the general population (Ref. 1). The Dietary Guidelines recommend that the general population consume no more than 2,300 milligrams/day (mg/d) and that persons with hypertension, blacks, and middle-aged and older