

**Applicability**

(c) This AD applies to Fokker F.28 Mark 0070 and 0100 airplanes, certificated in any category.

**Subject**

(d) Air Transport Association (ATA) of America Code 53: Fuselage.

**Reason**

(e) The mandatory continuing airworthiness information (MCAI) states:

Several reports have been received about roll control problems due to frozen moisture on the aileron pulleys that are located in the LH [left-hand] and RH [right-hand] Main Landing Gear (MLG) wheel bays on the centre wing rear spar, under the wing to fuselage fairings. Investigation revealed that improper sealing of the aerodynamic seals of the Wing-to-Fuselage Fairings can cause rain- or washwater and de-icing fluids to leak onto the affected aileron pulleys. Exposure of the aileron pulleys to the leaked moisture in freezing condition can result in restricted aileron control movement (partly jammed) and/or higher control forces. This condition, if not corrected, could lead to partial loss of control of the aircraft. To address this unsafe condition, Fokker Services originally introduced SBF100-53-101 which was made mandatory through CAA Netherlands (CAA-NL) AD NL-2005-013 [which corresponds to FAA AD 2008-04-22] with a compliance time of 12 months after November 1, 2005.

Following this, new reports of problems due to freezing moisture in the same area have been received. This has prompted Fokker Services to publish SBF100-53-107, which introduces an additional one-time inspection [for deviations] of the aerodynamic seals of the Wing-to-Fuselage Fairings and the application of an improved sealing of the aerodynamic seal by means of a fillet seam between the upper left and right fairings and the fuselage skin.

For the reasons described above, this EASA AD supersedes CAA-NL AD NL-2005-013 and requires an additional one-time inspection [for deviations] and application of improved sealing.

This action retains the inspection in AD 2008-04-22. Doing the additional inspection terminates the requirement to do the inspection required by the existing AD. The additional inspection for deviations includes inspecting for fit between the left-hand and right-hand wing-to-fuselage fairings and the fuselage skin; inspecting for damage to the aerodynamic seal on the fairings; inspecting for fit of the aerodynamic seal to the fuselage; and related investigative and corrective actions if necessary. The related investigative actions include inspecting the aerodynamic seal for damage (including wear); inspecting the abrasion resistant coating for damage (including wear); and re-inspecting for fit. The corrective actions include installing a new seal, restoring the protective coating, correcting the position of the fairing, and sealing the gaps between the fairings and the surrounding structure.

**Restatement of Certain Requirements of AD 2008-04-22**

(f) Unless already done: Within 12 months after April 3, 2008 (the effective date of AD 2008-04-22), inspect the wing-to-fuselage fairings for indications of incorrect fit, damage, or wear, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100-53-101, dated September 30, 2005 ("the service bulletin"). Doing the inspection required by paragraph (g) of this AD terminates the actions required by this paragraph.

(1) If no indications of incorrect fit, damage, or wear are found, no further action is required by this paragraph.

(2) If any incorrect fit, damage, or wear is found, before next flight, do related investigative actions and applicable corrective actions in accordance with the Accomplishment Instructions of the service bulletin.

**New Requirements of This AD: Actions and Compliance**

(g) Unless already done: Within 12 months after the effective date of this AD, inspect for deviations of the aerodynamic seal of the wing-to-fuselage fairings and the fuselage skin, do all applicable related investigative and corrective actions, and apply a fillet seam between the fairings and the fuselage skin, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100-53-107, dated February 26, 2008. Do all applicable related investigative and corrective actions before further flight. Accomplishment of this inspection terminates the actions required by paragraph (f) of this AD.

**FAA AD Differences**

**Note:** This AD differs from the MCAI and/or service information as follows: No differences.

**Other FAA AD Provisions**

(h) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, ANM-116, International Branch, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to *ATTN:* Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149. 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.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

**Related Information**

(i) Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2008-0079, dated April 24, 2008; Fokker Service Bulletin SBF100-53-101, dated September 30, 2005; and Fokker Service Bulletin SBF100-53-107, dated February 26, 2008; for related information.

Issued in Renton, Washington, on October 10, 2008.

**Ali Bahrami,**

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

[FR Doc. E8-25890 Filed 10-29-08; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2008-0661; Airspace Docket No. 08-AAL-19]

**RIN 2120-AA66**

**Proposed Establishment of Colored Federal Airway; Alaska**

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

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

**SUMMARY:** This action proposes to establish Colored Federal Airway Blue 7 (B-7), in Alaska. This action would add to the Instrument Flight Rules (IFR) airway and route structure in Alaska by providing IFR connectivity between Bethel, AK and Cape Newenham, AK. The FAA is proposing this action to enhance safety and improve the management of air traffic operations in the State of Alaska.

**DATES:** Comments must be received on or before December 15, 2008.

**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-2008-0661 and Airspace Docket No. 08-AAL-19 at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, 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-2008-0661 and Airspace Docket No. 08-AAL-19) 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-2008-0661, Airspace Docket No. 08-AAL-19." 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 NPRMs

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/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (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 Regional Air Traffic Division, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587.

Persons interested in being placed on a mailing list for future NPRMs 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.

##### The Proposal

The FAA is proposing an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to establish Colored Federal Airway B-7 between Bethel and Cape Newenham, AK. This action would add to the IFR airway and route structure in Alaska by providing IFR connectivity between Bethel, AK and Cape Newenham, AK. The FAA is proposing this action to improve the management of air traffic operations in the State of Alaska and to enhance safety.

Colored Federal Airways are published in paragraph 6009 of FAA Order 7400.9R, signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR 71.1. The Colored Federal Airways listed in this document will be published subsequently in the Order.

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 because it proposes to create a Federal Airway within the State of Alaska and represents the FAA's continuing effort to safely and efficiently use the navigable airspace.

##### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

##### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

##### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 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.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007 and effective September 15, 2007, is amended as follows:

*Paragraph 6009(d) Blue Federal Airways*

\* \* \* \* \*

##### B-7 [New]

From Oscarville, AK, NDB; to the Cape Newenham, AK, NDB.

\* \* \* \* \*

Issued in Washington, DC, on October 22, 2008.

Edith V. Parish,

Manager, Airspace and Rules Group.

[FR Doc. E8-25940 Filed 10-29-08; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

## DEPARTMENT OF THE TREASURY

### 19 CFR Parts 4, 7, 10, 102, 134 and 177

[USCBP-2007-0100]

RIN 1505-AB49

### Uniform Rules of Origin for Imported Merchandise

**AGENCIES:** Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

**ACTION:** Notice of proposed rulemaking; re-opening of comment period.

**SUMMARY:** This document re-opens the period within which comments may be submitted in response to the proposed rule to amend the Customs and Border Protection ("CBP") regulations to establish uniform rules governing CBP determinations of the country of origin of imported merchandise. The proposed rule was published in the **Federal Register** on July 25, 2008 (73 FR 43385) with comments due on or before September 23, 2008. The comment period was extended by a notice published in the **Federal Register** on September 8, 2008 (73 FR 51962), to October 23, 2008. This notice re-opens the comment period to afford interested parties an opportunity to consider the impact, if any, of the proposed rule on the country of origin of their goods in view of the publication of a final rule document in today's **Federal Register** which sets forth technical corrections to §§ 102.20 and 102.21 of the CBP regulations (19 CFR 102.20 and 102.21).

**DATES:** Comments on the proposed rule must be received on or before December 1, 2008.

**ADDRESSES:** You may submit comments, identified by docket number, by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments via docket number USCBP-2007-0100.

- **Mail:** Trade and Commercial Regulations Branch, Regulations and Rulings, Office of International Trade, U.S. Customs and Border Protection,

799 9th Street, NW., 5th Floor, Washington, DC 20001-4501.

**Instructions:** All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Public Participation" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. Submitted comments may be inspected during regular business days between the hours of 9 a.m. and 4:30 p.m. at the Trade and Commercial Regulations Branch, Regulations and Rulings, Office of International Trade, U.S. Customs and Border Protection, 799 9th Street, NW., 5th Floor, Washington, DC 20001-4501. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at (202) 572-8768.

#### FOR FURTHER INFORMATION CONTACT:

Monika Brenner, Valuation and Special Programs, Office of International Trade, 202-572-8835; Heather K. Pinnock, Tariff Classification and Marking, Office of International Trade, 202-572-8828.

#### SUPPLEMENTARY INFORMATION:

##### Public Participation

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of the proposed rule. CBP also invites comments that relate to the economic, environmental, or federalism effects that might result from this proposed rule. Comments that will provide the most assistance to CBP will reference a specific portion of the proposed rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change. See **ADDRESSES** above for information on how to submit comments.

##### Background

CBP published a notice of proposed rulemaking in the **Federal Register** (73 FR 43385) on July 25, 2008, proposing to amend the CBP regulations to establish uniform rules of origin for imported merchandise. The proposed rule would extend application of the country of origin rules codified in 19 CFR part 102. Those rules have proven

to be more objective and transparent and provide greater predictability in determining the country of origin of imported merchandise than the system of case-by-case adjudication they would replace. The proposed change also will aid an importer's exercise of reasonable care. In addition, the document proposes to amend the country of origin rules applicable to pipe fitting and flanges, printed greeting cards, glass optical fiber, and rice preparations. Finally, the proposed rule would amend the textile regulations set forth in § 102.21 to make corrections so that the regulations reflect the language of section 334(b)(5) of the Uruguay Round Agreements Act.

The notice of proposed rulemaking invited the public to comment on the proposal. Comments on the proposed rule were requested on or before September 23, 2008. In response to the proposed rule published in the **Federal Register**, CBP received correspondence from several parties requesting an extension of the comment period. In a notice published in the **Federal Register** on September 8, 2008 (73 FR 51962), CBP provided an additional 30 days for interested parties to submit comments on the proposed rule until October 23, 2008.

##### Re-Opening of Comment Period

As a result of modifications to the Harmonized Tariff Schedule of the United States (HTSUS) in 2007, certain tariff provisions have been added or removed, and certain goods have been transferred, for tariff classification purposes, to different or newly-created provisions. CBP is publishing a document in today's **Federal Register** which sets forth technical corrections to §§ 102.20 and 102.21 of the CBP regulations (19 CFR 102.20 and 102.21) in order to align the regulations with the current version of the HTSUS. The technical corrections to the tariff shift rules set forth in that document will enable parties to properly evaluate the impact, if any, of the proposed rule on the country of origin of their goods. Accordingly, in order to afford parties the opportunity to enhance their review of the proposed rule and provide meaningful comment in light of the technical corrections to §§ 102.20 and 102.21, the decision has been made to re-open the comment period on the proposed rule. Comments are now due on or before December 1, 2008.