

The legislation that created the Rural Business Investment Program gave the Secretary of Agriculture two choices concerning the creation of Rural Business Investment Companies: leveraged and non-leveraged. A leveraged Rural Business Investment Company is a company that is created with an infusion of Federal capital. A non-leveraged Rural Business Investment Company is a company that is created without the infusion of Federal capital. Since the legislation authorizing this Program provided funds for leveraged Rural Business Investment Companies and SBA's own programs operate with leveraged entities, the focus of the current Rural Business Investment Program has been on the creation of leveraged Rural Business Investment Companies. Since the promulgation of the interim rule, Rural Development, with SBA's support, has conditionally selected three leveraged Rural Business Investment Companies. These companies have initiated the process of making equity investments in rural small businesses.

#### Issue

With the enactment of section 1403 of the Deficit Reduction Act of 2005 (Pub. L. 109-171; 120 Stat. 4), all unobligated funds for the Rural Business Investment Program for administrative costs for SBA and for the assistance grants and leveraging for the Rural Business Investment Companies will be rescinded at the end of Fiscal Year 2006. The enactment of this legislation effectively prevents the funding and support of new Rural Business Investment Companies after the end of this Fiscal Year.

Rural Development believes that a greater focus on tapping the equity in rural America for the purposes of furthering rural development should be maintained. By encouraging investments in rural businesses with rural equity, not only is there the development of an underutilized rural resource, but also there is the potential to use such investments to increase wealth in rural communities.

The development of renewable energy resources such as biofuels and wind represents an example of the economic development power of tapping rural equity. The development of these new energy resources has reached a stage where it is possible to find capital in the United States and elsewhere to develop many of these rural resources. While the rural areas where these outside funded projects are located will reap some economic benefits, the profits and equity they create will be owned by

those outside these rural communities. Rural Development believes that if at least a portion of the funding of these projects can be supported by the equity in the surrounding rural communities, the projects are likely to be more successful because they will have greater local support and generate profits and equity that will be retained in the these rural communities which could be applied to support further development.

#### *Potential Strategies for Continuation of the Rural Business Investment Program*

Rural Development seeks to encourage not only the placement of economic development projects in rural areas, like an ethanol plant, but also the development of business and investment models that will lead to the greater use of, and growth in, wealth, equity, and economic opportunities in rural communities. For these reasons, Rural Development would like to investigate whether there may be a way to continue the Rural Business Investment Program, despite the enactment of the Deficit Reduction Act of 2005, as part of a strategy to help unlock the potential power that rural equity has to finance rural development in a manner that will help rural residents share in the benefits of the economic growth potential of rural America.

After reviewing the legislation creating the Rural Business Investment Program, it may be possible for the Secretary of Agriculture to operate this Program with another partner. The legislation authorizing the Rural Business Investment Program authorized certain financial institutions to create and invest in Rural Business Investment Companies (7 U.S.C. 2009cc-9). Eligible financial institutions include banks and savings associations whose deposits are insured by the Federal Deposit Insurance Corporation and Farm Credit System institutions. The Farm Credit Administration (FCA), the independent Federal agency that regulates the Farm Credit System, is responsible for the chartering, oversight and examination of the financial institutions of the Farm Credit System (FCS). Additionally, FCA has experience in examining other non-System institutions, such as Small Business Investment Companies. Therefore, FCA has the expertise to operate the non-leveraged program for the Secretary of Agriculture. If the focus of this Program shifted to the creation of non-leveraged Rural Business Investment Companies, the only funds that would be needed would be administrative costs to administer the

program and provide technical assistance. It is Rural Development's understanding that these funds could be raised through the fees the FCA can currently charge regulated entities. If the FCA would become a partner of this Program, provisions would be made to ensure that non-Farm Credit System members would be allowed to participate in the creation and financing of non-leveraged Rural Business Investment Companies in accordance with the statute. This proposal is based on a comment Rural Development received from the FCA during the interim rule commenting period for the Rural Business Investment Program [69 FR 32200; June 8, 2004].

#### *Requests for Comments*

Rural Development is seeking help from the public regarding the following questions related to this matter:

(1) In what ways can Rural Development leverage the Rural Business Investment Program, a developmental venture capital program, to help encourage an expanded use of rural equity in the development of rural America?

(2) Does the Rural Business Investment Program provide an appropriate basis to encourage the expanded use of rural equity in rural development? If not, are there changes in the regulation that could be made to make the Program more effective?

(3) If USDA chooses to use one or more partners in order to provide for the licensing of non-leveraged Rural Business Investment Companies, what type of considerations should be made? How could such a partnership, between USDA and FCA, be made most effective for USDA, FCA, and the rural business community? If other Federal agencies in addition to FCA wish to become a partner, how should this be addressed within the regulation?

Dated: March 21, 2007.

**Thomas C. Dorr,**

*Under Secretary, Rural Development.*

[FR Doc. 07-1530 Filed 3-28-07; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 50

[Docket No. PRM-50-83]

### Project on Government Oversight and Union of Concerned Scientists; Receipt of Petition for Rulemaking

AGENCY: U.S. Nuclear Regulatory Commission.

**ACTION:** Petition for rulemaking; notice of receipt.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is publishing for public comment a notice of receipt of a petition for rulemaking, dated February 23, 2007, which was filed with the Commission by David Lochbaum, on behalf of the Project On Government Oversight and the Union of Concerned Scientists. The petition was docketed by the NRC on March 5, 2007, and has been assigned Docket No. PRM-50-83. The petitioners request that the NRC amend its regulations to require periodic demonstrations by applicable local, State and Federal entities to ensure that nuclear power plants can be adequately protected against radiological sabotage greater than the design basis threat.

**DATES:** Submit comments by June 12, 2007. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

**ADDRESSES:** You may submit comments by any one of the following methods. Please include PRM-50-83 in the subject line of your comments. Comments on petitions submitted in writing or in electronic form will be made available for public inspection. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed.

*Mail comments to:* Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, *ATTN:* Rulemakings and Adjudications Staff.

*E-mail comments to:* [SECY@nrc.gov](mailto:SECY@nrc.gov) If you do not receive a reply e-mail confirming that we have received your comments, contact us directly at (301) 415-1966. You may also submit comments via the NRC's rulemaking Web site at <http://ruleforum.llnl.gov>. Address questions about our rulemaking Web site to Carol Gallagher (301) 415-5905; e-mail [cag@nrc.gov](mailto:cag@nrc.gov). Comments can also be submitted via the Federal e-Rulemaking Portal <http://www.regulations.gov>.

*Hand deliver comments to:* 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m., Federal workdays. (Telephone (301) 415-1966).

*Fax comments to:* Secretary, U.S. Nuclear Regulatory Commission at (301) 415-1101.

Publicly available documents related to this petition may be viewed electronically on the public computers located at the NRC's Public Document

Room (PDR), Room 01 F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland. The PDR reproduction contractor will copy documents for a fee. Selected documents, including comments, may be viewed and downloaded electronically via the NRC rulemaking Web site at <http://ruleforum.llnl.gov>.

Publicly available documents created or received at the NRC after November 1, 1999, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, the public can gain entry into the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the PDR Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Michael T. Lesar, Chief, Rulemaking, Directives and Editing Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, *Telephone:* 301-415-7163 or *Toll Free:* 1-800-368-5642.

#### **SUPPLEMENTARY INFORMATION:**

##### **The Petitioners**

The petitioners are the Project On Government Oversight and the Union of Concerned Scientists. The petitioners state that the Project On Government Oversight, formerly the Project on Military Procurement, previously worked to reform military spending. After experiencing success, the petitioner expanded its mission to include the investigation of systemic waste, fraud and abuse in all Federal agencies, including the important topic of nuclear plant security.

The petitioners state that the Union of Concerned Scientists is a nonprofit partnership of scientists and citizens that combines scientific analysis, policy development, and citizen advocacy to achieve practical environmental solutions. In 2002, the Union of Concerned Scientists had 61,300 members. The petitioners state that the Union of Concerned Scientists has been an active participant in the past in public meetings conducted by NRC regarding security regulations, and the petitioner continues to articulate potential problems and recommended solutions in various public arenas.

##### **Background**

Current regulations at 10 CFR part 73 contain requirements for the physical

protection of nuclear power plants and materials. On January 29, 2007, the Commission approved the issuance of a final rule which revises § 73.1 to establish a new design basis threat (DBT) level. The final DBT rule was published in the **Federal Register** on March 19, 2007. (72 FR 12705)

The petitioners observe that the final DBT rule reflects the Commission's determination of the most likely composite set of adversary features against which private security forces should reasonably have to defend. The petitioners believe that the DBT level set forth in the final rule is less what is determined to be the maximum level deemed credible by the national intelligence community, and that the potential exists for radiological sabotage at a level greater than the new DBT level. The petitioners therefore state that the defense of a nuclear power plant against a threat greater than the DBT would depend on the supplementation by local, State and Federal entities.

##### **The Proposed Amendment**

The petitioners request that the NRC amend its regulations at 10 CFR part 50 to require periodic demonstrations that nuclear power plants can be adequately protected against radiological sabotage above the DBT level. Current regulations in Appendix E to 10 CFR part 50 require periodic demonstrations that plant owners and external authorities can successfully meet their responsibilities during nuclear power plant emergencies. The petitioners point out, however, that the Commission's regulations do not provide for periodic demonstration by applicable local, State and Federal entities to ensure that nuclear power plants are protected against radiological sabotage above the DBT level. The petitioners state that their requested amendment would provide reasonable assurance that external authorities could demonstrate that adequate protection is also available against radiological sabotage greater than the DBT level.

The petitioners believe that in order for Americans to be adequately protected, nuclear power plants must be defended against both DBT and beyond-DBT attacks. Therefore, the petitioners request that 10 CFR part 50 be amended in a way similar to current Appendix E to require periodic exercises involving licensees and applicable local, State and Federal entities to demonstrate their capabilities to protect from radiological sabotage greater than the DBT level.

##### **Conclusion**

The petitioners believe that the proposed amendment to 10 CFR part 50

will complement current regulations by requiring periodic demonstrations by applicable local, State and Federal entities to ensure that nuclear power plants can be adequately protected against radiological sabotage greater than the DBT level. Accordingly, the petitioners request that the NCR amend its regulations related to emergency preparedness as described previously in the section titled, "The Proposed Amendment."

Dated at Rockville, Maryland, this 23rd day of March 2007.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. 07-1543 Filed 3-28-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2005-22918; Directorate Identifier 2005-NM-172-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A319-100 and A320-200 Series Airplanes

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

**ACTION:** Supplemental notice of proposed rulemaking (NPRM); reopening of comment period.

**SUMMARY:** The FAA is revising an earlier NPRM for an airworthiness directive (AD) that applies to certain Airbus Model A319-100 and A320-200 series airplanes. The original NPRM would have required repetitive inspections of the wing-tank fuel pumps, canisters, and wing fuel tanks for detached identification labels, and corrective action if necessary. The original NPRM resulted from several incidents of detached plastic identification labels found floating in the wing fuel tanks. This action revises the original NPRM by expanding the applicability and mandating modification of the fuel strainers at the fuel pump and suction bypass intakes. We are proposing this supplemental NPRM to prevent plastic identification labels being ingested into the fuel pumps and consequently entering the engine fuel feed system, which could result in an engine shutdown.

**DATES:** We must receive comments on this supplemental NPRM by April 23, 2007.

**ADDRESSES:** Use one of the following addresses to submit comments on this supplemental NPRM.

- *DOT Docket web site:* Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- *Government-wide rulemaking web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590.

- *Fax:* (202) 493-2251.

- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for service information identified in this proposed AD.

**FOR FURTHER INFORMATION CONTACT:** Tim Dulin, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-2141; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to submit any relevant written data, views, or arguments regarding this supplemental NPRM. Send your comments to an address listed in the **ADDRESSES** section. Include the docket number "Docket No. FAA-2005-22918; Directorate Identifier 2005-NM-172-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this supplemental NPRM. We will consider all comments received by the closing date and may amend this supplemental NPRM in light of those comments.

We will post all comments submitted, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this supplemental NPRM. Using the search function of that web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000

(65 FR 19477-78), or you may visit <http://dms.dot.gov>.

#### Examining the Docket

You may examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level in the Nassif Building at the DOT street address stated in **ADDRESSES**. Comments will be available in the AD docket shortly after the Docket Management System receives them.

#### Discussion

We proposed to amend 14 CFR part 39 with a notice of proposed rulemaking (NPRM) for an airworthiness directive (AD) (the "original NPRM"). The original NPRM applies to certain Airbus Model A319-100 and A320-200 series airplanes. The original NPRM was published in the **Federal Register** on November 10, 2005 (70 FR 68379). The original NPRM proposed to require repetitive inspections of the wing-tank fuel pumps, canisters, and wing fuel tanks for detached identification labels, and corrective action if necessary.

Since the original NPRM was issued, the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, superseded French airworthiness directive F-2005-121, dated July 20, 2005, and issued EASA airworthiness directive 2006-0236, dated August 10, 2006. The French airworthiness directive was referred to in the original NPRM. The EASA airworthiness directive expands the applicability and mandates the modification of the fuel strainers at the fuel pump and suction bypass intakes, which terminates the repetitive inspections.

#### Relevant Service Information

Airbus has issued Service Bulletin A320-28-1102, Revision 02, including Appendix 01, dated July 10, 2006 (Revision 01, dated February 11, 2005, was referred to in the original NPRM as the appropriate source of service information for accomplishing the repetitive detailed visual inspections for detached identification labels in the four wing-tank fuel pumps and canisters). The procedures in Revision 02 are essentially the same as those in Revision 01; however, Revision 02 revises the accomplishment timescales, updates the effectivity, and contains editorial changes.