

at Council meetings from seven to nine members.

Nominations and appointments to the Council are conducted pursuant to sections 1218.40, 1218.41, and 1218.42 of the Order. Appointments to the Council are made by the Secretary from a slate of nominated candidates. Pursuant to section 1218.41(d) of the Order, nominations for the importer, exporter, handler, and public member positions are made by the Council. Nominations are submitted to the Secretary for appointment to the Council.

A twenty-day comment period was provided to allow interested persons to respond to the proposal which was published in the **Federal Register** on March 17, 2010 [75 FR 12707]. Copies of the rule were made available through the Internet by the Department and the Office of the Federal Register. The comment period ended April 6, 2010. No comments were received by the deadline.

After consideration of all relevant material presented, the Council's recommendation, and other information, it is hereby found that this rule is consistent with and will effectuate the purpose of the Act.

Pursuant to 5 U.S.C. 553, it is also found that good cause exists for not postponing the effective date of this action until one day after publication in the **Federal Register** because the Council's term of office begins January 1, 2011, and this rule will allow the upcoming nominations and appointments to be conducted in a timely manner for the new members to be appointed to the Council so they can begin serving during the next term of office.

List of Subjects in 7 CFR Part 1218

Administrative practice and procedure, Advertising, Consumer information, Marketing agreements, Blueberry promotion, Reporting and recordkeeping requirements.

■ For the reasons set forth in the preamble, 7 CFR part 1218 is amended as follows:

PART 1218—BLUEBERRY PROMOTION, RESEARCH, AND INFORMATION ORDER

■ 1. The authority citation for 7 CFR part 1218 continues to read as follows:

Authority: 7 U.S.C. 7411–7425; 7 U.S.C. 7401.

■ 2. In § 1218.40, paragraph (a) introductory text and paragraph (a)(3) are revised to read as follows:

§ 1218.40 Establishment and membership.

(a) *Establishment of the U.S. Highbush Blueberry Council.* There is hereby established a U.S. Highbush Blueberry Council, hereinafter called the Council, composed of no more than 16 members and alternates, appointed by the Secretary from nominations as follows:

- * * * * *
- (3) Three importers and alternates.
- * * * * *

■ 3. Section 1218.45 paragraph (a) is revised to read as follows:

§ 1218.45 Procedure.

(a) At a Council meeting, it will be considered a quorum when a minimum of nine members, or their alternates serving in the absence, are present.

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Dated: May 27, 2010.

Rayne Pegg,

Administrator, Agricultural Marketing Service.

[FR Doc. 2010–13346 Filed 6–2–10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. **FAA–2005–22919**; Directorate Identifier **2005–NM–087–AD**; Amendment **39–14582**; AD **2006–09–11**]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A319–100, A320–200, A321–100, and A321–200 Series Airplanes

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

ACTION: Final rule; correction.

SUMMARY: The FAA is correcting a typographical error in an existing airworthiness directive (AD) that was published in the **Federal Register** on May 12, 2006. The error resulted in an incorrect component maintenance manual number. This AD applies to certain Airbus Model A319–100, A320–200, A321–100, and A321–200 series airplanes. This AD requires repetitive inspections for corrosion in the inside and outside lower walls of each type A, D, E, and F lavatory wall that has at least one wall-mounted cabin attendant seat, and related investigative and corrective actions if necessary.

DATES: This correction is effective June 3, 2010. The effective date of AD 2006–09–11 remains June 16, 2006.

ADDRESSES: You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (telephone 800–647–5527) is the Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

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

SUPPLEMENTARY INFORMATION: On April 26, 2006, the FAA issued AD 2006–09–11, Amendment 39–14582 (71 FR 27595, May 12, 2006), for certain Airbus Model A319–100, A320–200, A321–100, and A321–200 series airplanes. The AD requires repetitive inspections for corrosion in the inside and outside lower walls of each type A, D, E, and F lavatory wall that has at least one wall-mounted cabin attendant seat, and related investigative and corrective actions if necessary.

As published, paragraphs (h)(1)(iii) and (h)(2)(ii) of the AD specifies in error Airbus Component Maintenance Manual Lavatory E 25–41–52. Airbus Component Maintenance Manual Lavatory E 25–41–52 does not exist. The correct Airbus Component Maintenance Manual Lavatory E is 25–43–52.

No other part of the regulatory information has been changed; therefore, the final rule is not republished in the **Federal Register**.

The effective date of this AD remains June 16, 2006.

§ 39.13 [Corrected]

In the **Federal Register** of May 12, 2006, on page 27597, in the third column, paragraph (h)(1)(iii) of AD 2006–09–11 is corrected to read as follows:

- * * * * *
- (iii) Airbus CMM Lavatory E 25–43–52.
- * * * * *

In the **Federal Register** of May 12, 2006, on page 27597, in the third column, paragraph (h)(2)(ii) of AD 2006–09–11 is corrected to read as follows:

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(ii) For lavatories D and E: Airbus Service Bulletin A320-25-1365, dated February 18, 2005, references Airbus CMM Lavatory D 25-43-51; and Airbus CMM Lavatory E 25-43-52, as applicable, as an additional source of guidance for doing the replacement.

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Issued in Renton, Washington, on May 25, 2010.

Ali Bahrami,

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

[FR Doc. 2010-13231 Filed 6-2-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 65

[Docket No. FAA-2007-28518, Amendment No. 65-54]

RIN 2120-AJ08

Clarification of Parachute Packing Authorization

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule (immediately adopted).

SUMMARY: This action amends the requirements for individuals who pack, maintain, or alter main parachutes of a dual-parachute system—those with main and “back up” parachutes—to be used for parachute jumping in connection with civil aircraft of the United States. It expressly limits the authority of a non-certificated person who is not under the supervision of an appropriate current certificated parachute rigger to only pack the main parachute of a dual-parachute system when that person will be the next jumper to use the parachute. This action is intended to correct a potentially unsafe condition of parachute operations created by changes to the 2001 revision of the current rule.

DATES: This action is effective June 3, 2010. For more information on the rulemaking process, see the

SUPPLEMENTARY INFORMATION section of this document.

Privacy: We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association,

business, labor union, *etc.*). You may review DOT’s complete Privacy Act Statement in the **Federal Register** (see 65 FR 19477-78, April 11, 2000), or you may visit <http://DocketsInfo.dot.gov>.

Docket: To read background documents or comments received, go to <http://www.regulations.gov> at any time or to Docket Operations in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Kim Barnette, Aircraft Maintenance Division, AFS-300, Federal Aviation Administration, 950 L’Enfant Plaza North, SW., Washington, DC 20024; telephone (202) 385-6403; facsimile (202) 385-6474, e-mail kim.a.barnette@faa.gov.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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.

The FAA is issuing this rulemaking under the authority set forth in 49 U.S.C. 44701(a)(2)(A). This regulation is within the scope of that authority because the Administrator is charged with promoting safe flight of civil aircraft by, among other things, prescribing regulations that the Administrator finds necessary for inspecting, servicing, and overhauling aircraft, aircraft engines, propellers and appliances.

Background

In 2001, the FAA amended Title 14, Code of Federal Regulations (14 CFR) § 65.111, Certificate required (see 66 FR 23543, May 9, 2001). The 2001 amendment was intended to: (1) Incorporate tandem parachute operations into the rule; (2) specify that a non-certificated person could pack, maintain, or alter a main parachute only if the individual was under the supervision of an appropriate current certificated parachute rigger; and (3) clarify that a non-certificated person, not under the supervision noted above, could pack a main parachute of a dual-parachute system, intended for tandem operation, only if that person was to be the next jumper to use that parachute. No other substantive changes to § 65.111 were discussed in that rulemaking, nor were any other changes intended.

In the 2001 amendment, however, the revised text of § 65.111(b) did not preserve the clarity of authority that existed in the prior rule regarding a non-certificated person. Before the 2001 amendment, the authority of a non-certificated person (who was not under the supervision of an appropriate current certificated parachute rigger) was expressly limited to packing a main parachute of a dual-parachute system for personal use; maintenance or alteration was not authorized. The parachute industry raised concerns that the resulting authority language in the 2001 amendment could be viewed as authorizing maintenance or alteration by non-certificated persons not under the supervision of an appropriate current certificated rigger. Those concerns pose significant safety concerns for the FAA and those regulated by § 65.111. Improperly performed maintenance or alteration could lead to parachute failure, which would have catastrophic results.

Only certificated riggers, or persons under their supervision, have the requisite knowledge and skill to safely perform maintenance and alteration. The FAA does not intend that the regulation be interpreted to authorize maintenance and alteration by those not qualified, nor otherwise appropriately supervised. The FAA’s intention is clearly supported in other parachute-related regulations (see 14 CFR 91.307, 105.43(a), and 105.45(b)(1)). All of those regulations support the FAA’s position that in all but “next jumper” situations, parachute packing must be accomplished by or overseen by an appropriate current certificated parachute rigger. Further, none of those sections authorize maintenance or alteration of parachutes by non-certificated persons.

The FAA is not aware of any unauthorized parachute maintenance or alteration performed as a result of any operators’ misunderstanding of the current rule. Nevertheless, we want to prevent any adverse consequences by ensuring that parachute operations are performed or overseen only by persons who know and understand the requisite techniques and practices. This rule clarifies that the FAA requires that a person must hold an appropriate current parachute rigger certificate or be under the supervision of an appropriate current certificated rigger to maintain or alter main parachutes.

Availability of Rulemaking Documents

You can get an electronic copy using the Internet by: