

The inspection indicated the blind rivets used to attach the panel worked loose causing fatigue damage with crack propagation through the fastener line resulting in panel detachment.

To avoid potential injuries to persons on ground, Airworthiness Directive (AD) 2006-0107 [which corresponds with FAA AD 2007-08-05] mandated a one time detailed visual inspection of the shroud box bottom panel.

Further to issuance of AD 2006-0107, three additional events of panel loss have been experienced on in service aircraft already

inspected in accordance with the AD requirements and no findings. Thus, it has been decided to delete this one time detailed visual inspection and to mandate a modification which prevents such unsafe condition. Therefore, the present AD supersedes EASA AD 2006-0107 and mandates the installation of a bolted shroud box bottom panel instead of blind riveted metallic design.

The modification includes doing all applicable related investigative and corrective actions. The related investigative action is an inspection to detect cracks of the

shroud box hole. The corrective action is repairing any cracked shroud box hole.

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

(f) Unless already done: Within 69 months after the effective date of this AD, modify the shroud box bottom skin panel on both wings, and do all applicable related investigative and corrective actions, by accomplishing all the actions in the applicable service bulletins identified in Table 2 of this AD. Do all applicable related investigative and corrective actions before further flight.

TABLE 2—SERVICE BULLETINS

Service Bulletin—	Dated—
Airbus Service Bulletin A330-57-3100 .....	October 1, 2007.
Airbus Service Bulletin A340-57-4109 .....	October 1, 2007.
Airbus Service Bulletin A340-57-5018 .....	October 1, 2007.

**FAA AD Differences**

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

**Other FAA AD Provisions**

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

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM-116, 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: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1138; 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**

(h) Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2008-0002, dated January 7, 2008; and the service bulletins identified in Table 2 of this AD for related information.

Issued in Renton, Washington, on August 18, 2008.

**Ali Bahrami,**

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

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**Proposed Modification of the Dallas/Fort Worth, TX Class B Airspace Area; Public Meetings**

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

**ACTION:** Meetings.

**SUMMARY:** This notice announces four fact-finding informal airspace meetings to solicit information from airspace users and others concerning a proposal to revise the Class B airspace area at Dallas/Fort Worth, TX. The purpose of these meetings is to provide interested parties an opportunity to present views, recommendations, and comments on the proposal. All comments received during these meetings will be considered prior to any revision or issuance of a notice of proposed rulemaking.

**DATES:** The informal airspace meetings will be held on Monday, November 3, 2008, at 5 p.m., Thursday, November 6, 2008, at 5 p.m., Thursday, November 13, 2008, at 5 p.m., and Tuesday, November 18, 2008, at 5 p.m. Comments must be received on or before November 26, 2008.

**ADDRESSES:** (1) The meeting on Monday, November 3, 2008, will be held at

Lancaster Recreation Center, 1700 Veterans Memorial Parkway, Lancaster, TX 75134. (2) The meeting on Thursday, November 6, 2008, will be held at Cavanaugh Flight Museum, 4572 Claire Chennault Drive, Addison, TX 75001. (3) The meeting on Thursday, November 13, 2008, will be held at 5000 Airport Road, Denton, TX 76205-0207. (4) The meeting on Tuesday, November 18, 2008, will be held at Mesquite Airport Terminal Building, 1340 Airport Boulevard, Mesquite, TX 75181.

*Comments:* Send comments on the proposal to: Don Smith, Manager, Operations Support Group, Air Traffic Organization Central Service Area, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, TX 76137, or by fax to (817) 222-5547.

**FOR FURTHER INFORMATION CONTACT:** Robert Beck, DFW ATCT/TRACON, Dallas/Fort Worth International Airport, 2401 International Parkway, Dallas/Fort Worth Airport, TX 75261; Telephone (972) 615-2530.

**SUPPLEMENTARY INFORMATION:** (a) The meetings will be informal in nature and will be conducted by one or more representatives of the FAA Central Service Center. A representative from the FAA will present a formal briefing on the planned modification to the Class B airspace at Dallas/Fort Worth, TX. Each participant will be given an opportunity to deliver comments or make a presentation. Only comments concerning the plan to modify the Class B airspace area at Dallas/Fort Worth, TX, will be accepted.

(b) The meetings will be open to all persons on a space-available basis. There will be no admission fee or other charge to attend and participate.

(c) Any person wishing to make a presentation to the FAA panel will be

asked to sign in and estimate the amount of time needed for such presentation. This will permit the panel to allocate an appropriate amount of time for each presenter. These meetings will not be adjourned until everyone on the list has had an opportunity to address the panel.

(d) Position papers or other handout material relating to the substance of these meetings will be accepted. Participants wishing to submit handout material should present an original and two copies (3 copies total) to the presiding officer. There should be additional copies of each handout available for other attendees.

(e) These meetings will not be formally recorded.

#### Agenda for the Meetings

- Sign-in.
- Presentation of Meeting Procedures.
- FAA explanation of the planned Class B modifications.
- Solicitation of Public Comments.
- Closing Comments.

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

Issued in Washington, DC, on August 13, 2008.

**Edith V. Parish,**

*Manager, Airspace and Rules Group.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 922

[Docket No. 070726413–8730–01]

RIN 0648–AV89

#### Conducting Consultations Pursuant to Section 304(d) of the National Marine Sanctuaries Act

**AGENCY:** Office of National Marine Sanctuaries (ONNS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (Commerce).

**ACTION:** Advance Notice of Proposed Rulemaking.

**SUMMARY:** NOAA solicits public comment on whether development of regulations implementing certain aspects of the consultation provisions of section 304(d) of the National Marine Sanctuaries Act is appropriate and, if so, what such regulations should contain to ensure the efficient application and

implementation of, and compliance with, this statutory requirement.

**DATES:** Comments on this notice must be received by October 31, 2008.

**ADDRESSES:** Submit all electronic comments via the Federal eRulemaking Portal at <http://www.regulations.gov>. Comments can also be mailed to David Bizot, Attn: 304(d) ANPR, NOIA Office of National Marine Sanctuaries, 1305 East-West Hwy (N/ORM6), SSMC4 #11500, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** David Bizot, ONNS Permit and Consultations Coordinator, 301–713–7268.

#### SUPPLEMENTARY INFORMATION:

##### I. Consultation Under Section 304(d) of the National Marine Sanctuaries Act

The National Marine Sanctuaries Act (NNSA) authorizes the Secretary of Commerce (Secretary) to designate and manage areas of the marine environment with special national significance due to their conservation, recreational, ecological, historical, scientific, cultural, archeological, educational, or esthetic qualities as national marine sanctuaries. The Secretary has delegated to NOAA and the Office of National Marine Sanctuaries (ONNS) the authority to implement the NNSA and provide comprehensive management of the National Marine Sanctuary System for its primary purpose of marine resource protection. The ONNS implements the NNSA through regulations, permitting, enforcement, research, monitoring, education and outreach.

In the 1992 amendments to the NMSA, Congress added section 304(d), 16 U.S.C. 1434(d), which requires interagency consultation between NOAA and Federal agencies taking actions, including authorization of private activities, “likely to destroy, cause the loss of, or injure a sanctuary resource.” In addition, Federal agencies are required to consult on proposed actions that “may affect” the resources of Stellwagen Bank National Marine Sanctuary (SBNNS), Public Law 102–587 § 2202(e).

Section 304(d) outlines the basic process by which Federal agencies are to consult with NOAA on activities that trigger the need to consult. If a Federal agency finds that a proposed action is likely to destroy, cause the loss of, or injure sanctuary resources (or, for SBNNS, “may affect” sanctuary resources), the agency is required to submit a “written statement” to the ONNS describing the potential effects of the activity on sanctuary resources at the earliest practicable time, but in no

case later than no later than 45 days before the final approval of the action, unless another schedule is agreed to. If the ONNS finds that the proposed action is likely to destroy, cause the loss of, or injure a sanctuary resource, it must, within 45 days of receipt of complete information on the proposed action from the Federal agency, develop and recommend “reasonable and prudent alternatives” for the Federal agency to implement to protect sanctuary resources. If the ONNS recommends alternatives to the proposed action, the Federal agency is required to consult with the ONNS regarding plans for incorporating these recommendations into the proposed action. If the Federal agency decides not to follow the ONNS recommendations, it must provide a written explanation for that decision to the ONNS. If the Federal agency takes an action other than an alternative recommended by the ONNS and the action results in the destruction of, loss of, or injury to a sanctuary resource, the head of the agency must promptly prevent and mitigate further damage and restore or replace the sanctuary resource in a manner approved by the ONNS.

##### II. Proposed Development of Regulations

ONNS staff work diligently with Federal agencies to assist them in achieving full compliance with the NNSA, and encourage Federal agencies to work proactively with the ONNS to identify actions that may require NNSA consultation and to complete consultation at the earliest practicable time. However, more detailed regulatory provisions addressing the consultation process and requirements (e.g., how section 304(d) relates to other statutory and regulatory requirements, how a consultation might be conducted for a class of actions, and what information must be provided in a sanctuary resource statement) may be helpful to Federal agencies to more efficiently and effectively conduct the required consultation. NOAA therefore provides this notice for purposes of evaluating whether the development of such regulations to further implement the NNSA section 304(d) consultation requirement would be useful to Federal agencies and the public.

##### III. Action Requested From the Public

To expand upon the basic statutory requirements for NMSA consultations, NOAA is considering addressing a number of elements pertaining to these consultations through regulation and seeks comments on the following: