

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 981

[Doc. No. AMS-FV-08-0113; FV09-981-1 CR]

#### Almonds Grown in California; Continuance Referendum

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Referendum order.

**SUMMARY:** This document directs that a referendum be conducted among eligible California almonds growers to determine whether they favor continuance of the marketing order regulating the handling of almonds grown in California.

**DATES:** The referendum will be conducted from April 6 through April 24, 2009. To vote in this referendum, growers must have produced California almonds during the period August 1, 2007 through July 31, 2008.

**ADDRESSES:** Copies of the marketing order may be obtained from the California Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, 2202 Monterey Street, Suite 102B, Fresno, California, 93721-3129, or the Office of the Docket Clerk, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Washington, DC 20250-0237.

**FOR FURTHER INFORMATION CONTACT:** Terry Vawter, Senior Marketing Specialist, or Kurt J. Kimmel, Regional Manager, California Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA; Telephone: (559) 487-5901, Fax: (559) 487-5906, or e-mail: [Terry.Vawter@ams.usda.gov](mailto:Terry.Vawter@ams.usda.gov) or [Kurt.Kimmel@ams.usda.gov](mailto:Kurt.Kimmel@ams.usda.gov), respectively.

**SUPPLEMENTARY INFORMATION:** Pursuant to Marketing Order No. 981 (7 CFR part

981), hereinafter referred to as the "order," and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "Act," it is hereby directed that a referendum be conducted to ascertain whether continuance of the order is favored by growers. The referendum shall be conducted from April 6 through April 24, 2009, among eligible California almond growers. Only growers that were engaged in the production of California almonds during the period of August 1, 2007 through July 31, 2008, may participate in the continuance referendum.

USDA has determined that continuance referenda are an effective means for determining whether growers favor the continuation of marketing order programs. USDA would consider termination of the order if less than two-thirds of the growers voting in the referendum, and growers of less than two-thirds of the volume of California almonds represented in the referendum favor continuance of their program. In evaluating the merits of continuance versus termination, USDA will consider the results of the continuance referendum and other relevant information regarding operation of the order. USDA will evaluate the order's relative benefits and disadvantages to growers, handlers, and consumers to determine whether continuing the order would tend to effectuate the declared policy of the Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the ballot materials used in the referendum herein ordered have been approved by the Office of Management and Budget (OMB), under OMB No. 0581-0189, OMB Generic Fruit Crops. It has been estimated that it will take an average of 5 minutes for each of the approximately 6,000 growers of California almonds to cast a ballot. Participation is voluntary. Ballots postmarked after April 24, 2009, will not be included in the vote tabulation.

Terry Vawter and Kurt J. Kimmel of the California Marketing Field Office, Fruit and Vegetable Programs, AMS, USDA, are hereby designated as the referendum agents of the Secretary of Agriculture to conduct this referendum. The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection

With Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (7 CFR 900.400 *et seq.*).

Ballots will be mailed to all growers of record and may also be obtained from the referendum agents, or from their appointees.

#### List of Subjects in 7 CFR Part 981

Almonds, Marketing agreements, Nuts, Reporting and recordkeeping requirements.

**Authority:** 7 U.S.C. 601-674.

Dated: February 13, 2009.

**David R. Shipman,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. E9-3597 Filed 2-19-09; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 1216

[Document Number AMS-FV-08-0065; FV-08-703]

#### Peanut Promotion, Research and Information Order; Continuance Referendum

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Referendum Order.

**SUMMARY:** This notice directs that a referendum be conducted among the eligible producers of peanuts to determine whether they favor continuance of the Peanut Promotion, Research and Information Order (Order).

**DATES:** This referendum will be conducted from April 2, 2009, through April 30, 2009. To vote in this referendum, producers must have paid assessments on peanuts produced during the representative period from January 1, 2008, to December 31, 2008.

**ADDRESSES:** Copies of the Order may be obtained from: Referendum Agent, Research and Promotion Branch (RPB), Fruit and Vegetable Programs (FVP), AMS, USDA, Stop 0244, Room 0632-S, 1400 Independence Avenue, SW., Washington, DC 20250-0244, telephone: 888-720-9917 (toll free), facsimile: 202-205-2800, e-mail:

[Jeanette.Palmer@usda.gov](mailto:Jeanette.Palmer@usda.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to the Commodity Promotion, Research and Information Act of 1996 (7 U.S.C. 7411–7425) (Act), it is hereby directed that a referendum be conducted to ascertain whether continuance of the Order is favored by producers of peanuts covered under the program. The Order is authorized under the Act.

The representative period for establishing voter eligibility for the referendum shall be the period from January 1, 2008, to December 31, 2008. Persons who are producers of peanuts and paid assessments at the time of the referendum and during the representative period are eligible to vote. Persons who received an exemption from assessments for the entire representative period are ineligible to vote. The referendum shall be conducted by mail from April 2, 2009, through April 30, 2009.

Section 518 of the Act authorizes continuance referenda. Under section 1216.82 of the Order, the Department of Agriculture (Department) shall conduct a referendum every five years or when 10 percent or more of the eligible voters petition the Secretary of Agriculture to hold a referendum to determine if persons subject to assessment favor continuance of the Order. The Department would continue the Order if continuance of the Order is approved by a simple majority of the producers voting in the referendum.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the referendum ballot has been approved by the Office of Management and Budget (OMB) and assigned OMB NO. 0581–0093. It has been estimated that there are approximately 10,840 producers who will be eligible to vote in the referendum. It will take an average of 15 minutes for each voter to read the voting instructions and complete the referendum ballot.

#### Referendum Order

Jeanette Palmer and Sonia Jimenez, RPB, FVP, AMS, USDA, Stop 0244, Room 0632–S, 1400 Independence Avenue, SW., Washington, DC 20250–0244, are designated as the referendum agents to conduct this referendum. The referendum procedures 7 CFR 1216.100 through 1216.107, which were issued pursuant to the Act, shall be used to conduct the referendum.

The referendum agents will mail the ballots to be cast in the referendum and voting instructions to all known producers prior to the first day of the voting period. Persons who are producers and paid assessments at the time of the referendum and during the

representative period are eligible to vote. Persons who received an exemption from assessments during the entire representative period are ineligible to vote. Any eligible producer who does not receive a ballot should contact the referendum agent no later than one week before the end of the voting period. Ballots must be received by the referendum agent by the April 30, 2009 deadline, in order to be counted.

#### List of Subjects in 7 CFR Part 1216

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

**Authority:** 7 U.S.C. 7411–7425 and 7 U.S.C. 7401.

Dated: February 13, 2009.

**James E. Link,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E9–3601 Filed 2–19–09; 8:45 am]

**BILLING CODE 3410–02–P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2009–0121; Directorate Identifier 2008–NE–36–AD]

**RIN 2120–AA64**

#### Airworthiness Directives; General Electric Company (GE) CF6–80C2B5F Turbofan Engines

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

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for GE CF6–80C2B5F turbofan engines. This proposed AD would require removing certain part number (P/N) high-pressure compressor rotor (HPCR) 11–14 spool/shafts before they exceed a new, reduced life limit. This proposed AD results from an internal GE audit that compared the life limited parts certification documentation to the airworthiness limitations section (ALS) of the instructions for continuing airworthiness (ICA). We are proposing this AD to prevent HPCR 11–14 spool/shaft fatigue cracks caused by exceeding the life limit, which could result in a possible uncontained failure of the HPCR spool/shaft and damage to the airplane.

**DATES:** We must receive any comments on this proposed AD by April 21, 2009.

**ADDRESSES:** Use one of the following addresses to comment on this proposed AD.

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* (202) 493–2251.

#### FOR FURTHER INFORMATION CONTACT:

Robert Green, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Part, Burlington, MA 01803; *e-mail:* [robert.green@faa.gov](mailto:robert.green@faa.gov); telephone (781) 238–7754; fax (781) 238–7199.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to send us any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include “Docket No. FAA–2009–0121; Directorate Identifier 2008–NE–36–AD” in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of the Web site, anyone can find and read the comments in any of our dockets, including, if provided, 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).

##### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m.