

be submitted at the time of initial application?

- What documentation should an applicant submit to CCC to establish evidence that the initial 15 percent down payment requirement has been met?

## 2. Coverage

- What coverage should CCC offer under the FGP (principal and interest)?
- Should CCC continue to require a risk share partner? If not, please explain why a risk share partner is unnecessary.

## 3. Construction Waiver

With the enactment of the Food, Conservation, and Energy Act of 2008, the Secretary of Agriculture may waive the requirement for U.S. goods used in the construction of the facility if the Secretary determines that U.S. goods are not available or the use of U.S. goods is not practicable.

- What documentation should CCC require the applicant provide to support a request for a determination that U.S. goods are unavailable?
- What documentation should CCC require the applicant provide to support a request for a determination that the use of goods from the United States is not practicable?
- How does CCC incorporate delivery lead time of the goods in a determination of non-availability?
- Should pricing of goods be a determinant of practicability?
- Should practicability take into consideration the compatibility of U.S. goods with local inputs?

### Consideration of Comments:

Additional comments on other program modifications to the FGP that are responsive to the principles outlined herein are encouraged. CCC will carefully consider all comments submitted by interested parties. After consideration of the comments received, CCC will consider what changes should be made to the FGP. Some of the changes described above would require solicitation and consideration of comments received from interested parties via the rulemaking process. Other changes might be adopted by changing internal policies and procedures. Comments received will help CCC to determine the extent and scope of any future rulemaking.

Signed at Washington, DC, on July 24, 2009.

**Suzanne Hale,**

*Acting Administrator, Foreign Agricultural Service, and Executive Vice President, Commodity Credit Corporation.*

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**BILLING CODE 3410-10-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 21

#### Proposed New Restricted Category Special Purpose Operations

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

**ACTION:** Proposed policy statement.

**SUMMARY:** This notice announces the availability of and request comments on the proposed inclusion of three new restricted category special purpose operations under Title 14 of the Code of Federal Regulations (14 CFR) 21.25(b)(7).

**DATES:** Comments must be received on or before September 8, 2009.

**ADDRESSES:** Send all comments on the proposed new restricted categories to: Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, Certification Procedures Branch, AIR-110, 950 L'Enfant Plaza, SW., Fifth Floor, Washington, DC 20024. ATTN.: Mr. Graham Long, Section Manager. You may hand deliver comments to: Federal Aviation Administration, 950 L'Enfant Plaza, SW., Fifth Floor, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Federal Aviation Administration, Aircraft Engineering Division, Aircraft Certification Service, Certification Procedures Branch (AIR 110), 950 L'Enfant Plaza, SW., Fifth Floor, Washington, DC 20024. ATTN.: Mr. Graham Long, Section Manager. Telephone: (202) 385-6319; fax: (202) 385-6475; or by e-mail: 9-AWA-AVS-AIR-110-GNL2@faa.gov.

#### SUPPLEMENTARY INFORMATION:

#### Comments Invited

Interested persons are invited to comment on the proposed new restricted categories for special purpose operations by submitting such written data, views, or arguments, as they desire to the above address. Comments received on the proposed new restricted categories may be examined, before and after the comment closing date, at 950

L'Enfant Plaza, SW., Fifth Floor, Washington, DC 20024, weekdays except Federal holidays, between 8:30 a.m. and 4:30 p.m. The Director of the Aircraft Certification Service will consider all communications received on or before the closing date before issuing the final decision.

#### Background

We are considering three new restricted category special purpose operations under 14 CFR 21.25(b)(7). Approval of these new special purpose operations would improve the usability of restricted category aircraft in support of the public welfare and aviation safety. The three proposed special purpose operations are (a) Alaskan Fuel Hauling, (b) Upset Recovery Training, and (c) Flying Qualities Demonstrator.

(a) Alaskan Fuel Hauling would provide a means to transport fuel to isolated individuals or locations, such as villages, towns and mining operations, within the State of Alaska. Currently, in rural Alaska there are numerous remote villages, mining camps, and individuals that have no practical access except by air. During the winter months, transportation of fuel to remote locations is limited to small quantities hauled by ground on trail access vehicles or by aircraft owners carrying fuel for their own use. During the summer, where stream access is available, there is the option of hauling limited quantities of fuel by small boats. The allowance for transportation of flammable liquids, by aircraft, when other means of transportation are impractical is specified in Title 49 of the Code of Federal Regulations (49 CFR) 175.310.

(b) Upset Recovery Training would provide an avenue for the use of aircraft with modified flight controls to be used to train air carrier pilots in upset recoveries. Airborne simulation can provide aircraft dynamic responses that simulate larger, heavier transport aircraft, and result in improved safety through more-realistic upset recovery training for air carrier pilots. The use of large transport aircraft for Upset Recovery Training is costly, and would increase the risk level of training. It is also impractical to certificate these modified aircraft in compliance with the requirements of their standard category type certificate.

(c) Flight control system design and development can be more-effectively carried out using airborne simulation. The optimizations of flight control and feel characteristics can be conducted in a real-world environment at an early stage in the design and development of the aircraft. Flying qualities of unique

and novel aircraft can be evaluated, and the effects of aircraft configuration changes may be observed and measured. A Flying Qualities Demonstrator would enable the use of aircraft with modified flight controls to be used in the demonstration and development of flying qualities and flight controls. It is impractical to certificate these modified aircraft in compliance with the requirements of their standard category type certificate. Approval of these flight operations will be in compliance with the restricted category operating limitations specified in 14 CFR 91.313.

*How To Obtain Copies:*

You may get a copy of our proposal from the Internet at: [http://www.faa.gov/aircraft/draft\\_docs/](http://www.faa.gov/aircraft/draft_docs/).

You may also request a copy from Mr. Graham Long. See the section entitled **FOR FURTHER INFORMATION CONTACT** for the complete address.

Issued in Washington, DC, on July 24, 2009.

**Susan J. M. Cabler,**

*Assistant Manager, Aircraft Engineering Division, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2009-0707; Directorate Identifier 2009-CE-035-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Air Tractor, Inc. Models AT-802 and AT-802A Airplanes**

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

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

**SUMMARY:** We propose to supersede Airworthiness Directive (AD) 2006-08-09, which applies to all Air Tractor, Inc. (Air Tractor) Models AT-802 and AT-802A airplanes. AD 2006-08-09 currently requires you to repetitively inspect (using the eddy current method) the two outboard fastener holes in both of the wing main spar lower caps at the center splice joint for cracks and repair or replace any cracked spar cap. Since we issued AD 2006-08-09, we have determined we need to clarify the applicability of Models AT-802 and AT-802A airplanes affected serial number (SN) ranges. Additionally, we propose to add an option of modifying

the wing main spar lower caps to extend the safe life limit on the affected airplanes. Consequently, this proposed AD would keep the actions of AD 2006-08-09, clarify the applicability of Models AT-802 and AT-802A affected SN ranges, and add a modification option to extend the safe life limit. We are proposing this AD to detect and correct cracks in the wing main spar lower cap at the center splice joint, which could result in failure of the spar cap and lead to wing separation and loss of control of the airplane.

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

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

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* (202) 493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Air Tractor, Inc., P.O. Box 485, Olney, Texas 76374; telephone: (940) 564-5616; fax: (940) 564-5612; e-mail: [airmail@airtractor.com](mailto:airmail@airtractor.com); Internet: <http://www.airtractor.com>.

**FOR FURTHER INFORMATION CONTACT:** Andy McAnaul, Aerospace Engineer, ASW-150, FAA San Antonio MIDO-43, 10100 Reunion Pl., Ste. 650, San Antonio, Texas 78216; telephone: (210) 308-3365; fax: (210) 308-3370.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments regarding this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number, "FAA-2009-0707; Directorate Identifier 2009-CE-035-AD" at the beginning 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 we receive concerning this proposed AD.

**Discussion**

Since 2000, we have issued several airworthiness directives (ADs) related to the wing spar inspection and safe life on Air Tractor AT-400, AT-500, AT-600, and AT-800 series airplanes.

In 2001, we issued AD 2001-10-04, Amendment 39-12230 (66 FR 27014, May 16, 2001) to lower the safe life for the wing lower spar cap on Air Tractor AT-400, AT-500, and AT-800 series airplanes. This AD allowed for inspection (using eddy current methods) of the wing lower spar cap for airplanes that were at or over the lower safe life and for which parts were not available. Later that same year we revised that AD to remove AT-800 series airplanes from the applicability that were equipped with the factory-supplied computerized fire gate (part number 80540) and engaged in full-time firefighting.

In 2002, we issued AD 2002-11-05, Amendment 39-12766 (67 FR 37967, May 31, 2002) to further reduce the safe life for certain AT-400 series airplanes and certain AT-500 series airplanes that either incorporate or have incorporated Marburger winglets.

After receiving reports of fatigue cracking found on three Model AT-802A airplanes that were below the reduced safe life established in AD 2002-11-05, we issued AD 2006-08-09, Amendment 39-14565 (71 FR 27784, May 12, 2006). AD 2006-08-09 currently requires the following on Air Tractor Models AT-802 and AT-802A airplanes:

- Repetitively inspecting (using the eddy current method) the two outboard fastener holes in both of the wing main spar lower caps at the center splice joint for cracks; and
- Repairing or replacing any cracked spar cap.

Since we issued AD 2006-08-09, we have determined we need to clarify the applicability of Models AT-802 and AT-802A airplanes affected SN ranges. The manufacturer, Air Tractor, shared a common SN range for the Models AT-802 and AT-802A. Sometimes service information listed only one of the models with a starting or ending SN within an SN range, depending on which model was produced with that specific SN, even though the service information applied to both models.

Additionally, we propose to add an option of modifying the wing main spar