

**New Requirements of This AD****Installation of Bonding for Slat Track 11 Canister Bracket**

(j) For Model A310 airplanes on which the actions specified in Airbus Service Bulletin A310-28-2142, dated August 26, 2005, have been done before the effective date of this AD: Within 50 months after the effective date of this AD, install bonding for slat track 11 canister bracket, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A310-28-2142, Revision 01, dated July 17, 2006.

**Parts Installation**

(k) As of August 29, 2006, no person may install any NSA5516-XXND- or NSA5516-XXNJ-type P-clip for retaining wiring and pipes in any wing, center, or trim fuel tank, on any airplane.

**Alternative Methods of Compliance (AMOCs)**

(l)(1) The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

(3) AMOCs approved previously in accordance with AD 2006-15-09, are approved as AMOCs for the corresponding provisions of this AD.

**Related Information**

(m) European Aviation Safety Agency (EASA) airworthiness directive 2006-0325, dated October 23, 2006, also addresses the subject of this AD.

Issued in Renton, Washington, on January 12, 2007.

**Ali Bahrami,**

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

[FR Doc. E7-1092 Filed 1-24-07; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****25 CFR Parts 15, 18, 150, 152 and 179****Office of the Secretary****43 CFR Parts 4 and 30**

**RIN 1076-AE59**

**Indian Trust Management Reform**

**AGENCY:** Bureau of Indian Affairs, Office of the Secretary, Interior.

**ACTION:** Notice of reopening of comment period for proposed rule.

**SUMMARY:** On August 8, 2006, the Bureau of Indian Affairs (BIA) and the

Office of the Secretary proposed to amend several of their regulations related to Indian trust management (see 71 FR 45173). The rule proposes to address Indian trust management issues in the areas of probate, probate hearings and appeals, tribal probate codes, life estates and future interests in Indian land, the Indian land title of record, and conveyances of trust or restricted land. The proposed rule also includes an "Application for Consolidation by Sale" form that is associated with one of these amendments. On November 1, 2006, the BIA and the Office of the Secretary reopened the comment period for an additional 60 days to January 2, 2007 (see 71 FR 64181).

This notice reopens the comment period an additional 45 days to March 12, 2007. The BIA and Office of Secretary again are extending the comment period by 45 days to ensure that all interested parties, including tribes and individual Indians, have the opportunity to review the proposed rule and prepare their comments.

**DATES:** The comment period for the proposed rule published on August 8, 2006 (71 FR 45173) is extended to March 12, 2007.

**ADDRESSES:** You may submit comments, identified by the number 1076-AE59, by any of the following methods:

- Federal rulemaking portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Web site at [www.doitrustregs.com](http://www.doitrustregs.com).
- E-mail: [Michele\\_F\\_Singer@ios.doi.gov](mailto:Michele_F_Singer@ios.doi.gov). Include the number 1076-AE59 in the subject line of the message.
- Fax: (202) 208-5320. Include the number 1076-AE59 in the subject line of the message.
- Mail: U.S. Department of the Interior, 1849 C Street, NW., Mail Stop 4141, Washington, DC 20240.
- Hand delivery: Michele Singer, U.S. Department of the Interior, 1849 C Street, NW., Washington, DC 20240.

Comments on the information collection burdens, including comments on or requests for copies of the "Application for Consolidation by Sale" form, are separate from those on the substance of the rule. Send comments on the information collection burdens to: Interior Desk Officer 1076-AE59, Office of Management and Budget, e-mail: [oir\\_docket@omb.eop.gov](mailto:oir_docket@omb.eop.gov); or (202) 395-6566 (fax). Please also send a copy of your comments to BIA at the location specified under the heading **ADDRESSES**.

**FOR FURTHER INFORMATION CONTACT:** Michele Singer, Counselor to the Assistant Secretary—Indian Affairs, Department of the Interior, 1849 C Street, NW., Mail Stop 4141,

Washington, DC 20240, telephone (202) 273-4680.

**Authority:** Regulatory amendments to these parts are proposed under the general authority of the American Indian Trust Fund Management Reform Act of 1994, 25 U.S.C. 4021 *et seq.*, and the Indian Land Consolidation Act of 2000, as amended by the American Indian Probate Reform Act of 2004, 25 U.S.C. 2201 *et seq.*

Dated: January 17, 2007.

**Mike D. Olsen,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. 07-325 Filed 1-24-07; 8:45 am]

**BILLING CODE 4310-W7-P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA-R05-OAR-2006-0716; FRL-8273-2]

**Approval and Promulgation of Air Quality Implementation Plans; Indiana; Exemption From VOC Requirements for Sources Subject to the National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing or Reinforced Plastics Composites Manufacturing**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** On July 17, 2006, the Indiana Department of Environmental Management (IDEM) submitted an amendment to its volatile organic compound (VOC) rules for new facilities for approval into the Indiana State Implementation Plan (SIP). This amended rule exempts facilities subject to the boat manufacturing and reinforced plastics composites production national emission standards for hazardous air pollutants (NESHAPS) from the Indiana SIP. This rule revision is approvable because the hazardous air pollutant covered by these NESHAPS rules is styrene, which is always used and is also a VOC. Therefore, the VOC control requirements in these rules are always applicable. In addition, the provisions in these rules are enforceable and result in a clearly defined level of VOC reductions dependent upon the specific type of operation.

**DATES:** Comments must be received on or before February 26, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2006-0716, by one of the following methods:

1. <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

2. E-mail: [mooney.john@epa.gov](mailto:mooney.john@epa.gov).

3. Fax: (312)886-5824.

4. Mail: John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. Hand Delivery: John M. Mooney, Chief, Criteria Pollutant Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding Federal holidays.

**Instructions:** Direct your comments to Docket ID No. EPA-R05-OAR-2006-0716. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov) your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional instructions on submitting comments, go to Section I of the **SUPPLEMENTARY INFORMATION** section of this document.

**Docket:** All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov)

index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This Facility is open from 8:30 AM to 4:30 PM, Monday through Friday, excluding legal holidays. We recommend that you telephone Steven Rosenthal at (312) 886-6052 before visiting the Region 5 office.

#### FOR FURTHER INFORMATION CONTACT:

Steven Rosenthal, Environmental Engineer, Criteria Pollutant Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6052, [rosenthal.steven@epa.gov](mailto:rosenthal.steven@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document whenever "we," "us," or "our" is used, we mean EPA. This **SUPPLEMENTARY INFORMATION** section is arranged as follows:

- I. What Should I Consider as I Prepare My Comments for EPA?
- II. What Is the Purpose and Background for This Action?
- III. What Is EPA's Analysis of Indiana's Rule Amendment?
- IV. What Action Is EPA Taking Today?
- V. Statutory and Executive Order Reviews

#### I. What Should I Consider as I Prepare My Comments for EPA?

When submitting comments, remember to:

1. Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).
2. Follow directions—The EPA may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
3. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
4. Describe any assumptions and provide any technical information and/or data that you used.
5. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
6. Provide specific examples to illustrate your concerns, and suggest alternatives.

7. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

8. Make sure to submit your comments by the comment period deadline identified.

#### II. What Is the Purpose and Background for This Action?

Currently, new facilities not regulated by a provision in 326 IAC Article 8 (Indiana's VOC Rules) and which have potential emissions of 25 tons or more per year of VOC are required to reduce VOC emissions by using best available control technology (BACT) under 326 IAC 8-1-6 (new facilities: general reduction requirements). Establishing BACT is a case-by-case determination based on the maximum reduction that is technically feasible, while taking into account energy, environmental and economic impact. Establishing specific standards in place of case-by-case analyses improves the clarity, predictability, and timeliness of permit decisions that are currently subject to 326 IAC 8-1-6.

Styrene is classified as both a hazardous air pollutant (HAP) and a VOC and is the predominant regulated air pollutant from sources subject to 326 IAC 20-48, which incorporates by reference 40 CFR part 63, Subpart VVVV (Boat manufacturing), and 326 IAC 20-56, which incorporates by reference 40 CFR part 63, Subpart WWWW (Reinforced Plastics Composites production). Numerous case-by-case BACT analyses for sources subject to 326 IAC 20-48 or 326 IAC 20-56 have been submitted to, and approved by, IDEM. These analyses establish that the emission limitation in the applicable NESHAP satisfies the requirement for BACT. However, 326 IAC 8-1-6 requires the applicant to compile the energy, environmental, and economic analyses of alternative controls, and IDEM staff must review and approve those analyses. For sources subject to 326 IAC 20-48 or 326 IAC 20-56, this rulemaking will reduce the administrative burden for both the applicant and IDEM, since compliance with the applicable NESHAPS will assure that BACT requirements have been addressed and met.

Therefore, in order to make its BACT process more efficient, on July 17, 2006, Indiana submitted exemptions to its new facilities, general reduction requirements rule in 326 IAC 8-1-6.

#### III. What Is EPA's Analysis of Indiana's Rule Amendment?

This rule revision is approvable because the Hazardous Air Pollutant (styrene) covered by these NESHAPS

rules is a VOC, and the provisions in these rules are enforceable and result in specified VOC reductions dependent upon the specific type of operation.

#### IV. What Action Is EPA Taking Today?

EPA is proposing to approve Indiana's amendment to its SIP consisting of an amendment to 326 IAC 8-1-6, new facilities; general reduction requirements. This rule exempts boat manufacturers subject to 326 IAC 20-48, NESHAPS for boat manufacturing, or reinforced plastics composites manufacturers subject to 326 IAC 20-56, NESHAPS for reinforced plastics composites production facilities, from the requirement to do a BACT analysis, for the purposes of 326 IAC 8-1-6, provided they comply with the applicable NESHAPS.

However, any approval of this exemption to 326 IAC 8-1-6 would not address (or take action on) whether the boat manufacturing or reinforced plastics composites production NESHAPS represent reasonably available control technology, which is the level of control required by EPA for existing sources in ozone nonattainment areas. In addition, any approval would not address (or take action on) whether these NESHAPS regulations satisfy BACT as required by 326 IAC 2-2 (prevention of significant deterioration) or lowest achievable emission rate as required by 326 IAC 2-3 (nonattainment new source review).

#### VI. Statutory and Executive Order Reviews

##### *Executive Order 12866: Regulatory Planning and Review*

Under Executive Order 12866 (58 FR 51735, September 30, 1993), this action is not a "significant regulatory action" and, therefore, is not subject to review by the Office of Management and Budget.

##### *Paperwork Reduction Act*

This proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

##### *Regulatory Flexibility Act*

This proposed action merely proposes to approve state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by State law. Accordingly, the Administrator certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

##### *Unfunded Mandates Reform Act*

Because this rule proposes to approve pre-existing requirements under State law, and does not impose any additional enforceable duty beyond that required by State law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

##### *Executive Order 13132: Federalism*

This action also does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely proposes to approve a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act.

##### *Executive Order 13175: Consultation and Coordination With Indian Tribal Governments*

This proposed rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

##### *Executive Order 13045: Protection of Children From Environmental Health and Safety Risks*

This proposed rule also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

##### *Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use*

Because it is not a "significant regulatory action" under Executive Order 12866 or a "significant regulatory action," this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001).

##### *National Technology Transfer Advancement Act*

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), 15 U.S.C. 272, requires Federal agencies to use technical standards that are developed or adopted by voluntary consensus to carry out policy objectives, so long as such standards are not inconsistent with applicable law or otherwise impractical. In reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the Clean Air Act. Absent a prior existing requirement for the State to use voluntary consensus standards, EPA has no authority to disapprove a SIP submission for failure to use such standards, and it would thus be inconsistent with applicable law for EPA to use voluntary consensus standards in place of a program submission that otherwise satisfies the provisions of the Clean Air Act. Therefore, the requirements of section 12(d) of the NTTA do not apply.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: January 18, 2007.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*

[FR Doc. E7-1099 Filed 1-24-07; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

#### **Endangered and Threatened Wildlife and Plants; Anticipated Delisting of *Astragalus desereticus* (Deseret milk-vetch) From the List of Endangered and Threatened Plants; Prudency Determination for Designation of Critical Habitat**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Advanced notice of proposed rulemaking; notice of critical habitat prudency determination.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce our intention to conduct rulemaking under the Endangered Species Act (Act) of 1973 as amended (Act) (16 U.S.C. 1531 *et seq.*) for the purpose of removing