

**Actions and Compliance**

(f) Unless already done, do the following actions:

(1) Within the next 100 hours time-in-service (TIS) after May 11, 2009 (the effective date of this AD) or within the next 3 months after May 11, 2009 (the effective date of this AD), whichever occurs first, inspect the adhesive joint between the wing main spar caps and the upper wing skin for adhesive voids following Diamond Aircraft Industries GmbH Work Instructions WI-MSB-40-060 and WI-MSB-F4-016 (single document), dated October 20, 2008; as referenced in Diamond Aircraft Industries GmbH Mandatory Service Bulletins No. MSB-40-060 and No. MSB-F4-016 (single document), dated October 20, 2008.

(2) Within the next 30 days after the inspection required in paragraph (f)(1) of this AD or within 30 days after May 11, 2009 (the effective date of this AD), whichever occurs later, report the results to Diamond Aircraft Industries following Diamond Aircraft Industries GmbH Work Instructions WI-MSB-40-060 and WI-MSB-F4-016 (single document), dated October 20, 2008; as referenced in Diamond Aircraft Industries GmbH Mandatory Service Bulletins No. MSB-40-060 and No. MSB-F4-016 (single document), dated October 20, 2008.

(3) If, as a result of the inspection required by paragraph (f)(1) of this AD, an adhesive void is found that exceeds the criteria specified in the service information, before further flight, contact Diamond Aircraft Industries at Diamond Aircraft Industries GmbH, N.A. Otto-Straße 5, A-2700 Wiener Neustadt; telephone: +43 2622 26700; fax: +43 2622 26780; E-mail: [office@diamond-air.at](mailto:office@diamond-air.at), for FAA-approved repair instructions and accomplish the repair accordingly.

**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, Standards Office, 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: Sarjapur Nagarajan, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4145; fax: (816) 329-4090. 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 (44 U.S.C. 3501 *et seq.*), 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 (EASA) AD No.: 2008-0224, dated December 16, 2008; and Diamond Aircraft Industries GmbH Mandatory Service Bulletins No. MSB-40-060 and No. MSB-F4-016 (single document), dated October 20, 2008, for related information.

**Material Incorporated by Reference**

(i) You must use Diamond Aircraft Industries GmbH Work Instructions WI-MSB-40-060 and WI-MSB-F4-016 (single document), dated October 20, 2008; and Diamond Aircraft Industries GmbH Mandatory Service Bulletins No. MSB-40-060 and No. MSB-F4-016 (single document), dated October 20, 2008, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Diamond Aircraft Industries GmbH, N.A. Otto-Straße 5, A-2700 Wiener Neustadt; telephone: +43 2622 26700; fax: +43 2622 26780; e-mail: [office@diamond-air.at](mailto:office@diamond-air.at); Internet: <http://www.diamond-air.at/>.

(3) You may review copies of the service information incorporated by reference for this AD at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the Central Region, call (816) 329-3768.

(4) You may also review copies of the service information incorporated by reference for this AD at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Kansas City, Missouri, on March 27, 2009.

**John R. Colomy,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. E9-7412 Filed 4-3-09; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****15 CFR Part 902**

[Docket No. 070720390-9588-04]

RIN 0648-AV28

**Fisheries in the Western Pacific; Bottomfish and Seamount Groundfish; Management Measures for the Northern Mariana Islands**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule; effectiveness of collection-of-information requirements.

**SUMMARY:** NMFS announces approval by the Office of Management and Budget (OMB) of collection-of-information requirements contained in regulations implementing Amendment 10 to the Fishery Management Plan for Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region. The intent of this final rule is to inform the public that the associated permitting, reporting, and vessel monitoring system (VMS) requirements for vessels in the Commonwealth of the Northern Mariana Islands (CNMI) have been approved by OMB.

**DATES:** The amendments to §§ 665.14, 665.16, 665.19, and 665.61, published at 73 FR 75615 (December 12, 2008) have been approved by OMB and are effective on May 6, 2009.

**ADDRESSES:** Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted to William L. Robinson, Administrator, NMFS Pacific Islands Region (PIR), 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700, and to David Rostker, OMB, by e-mail to [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov), or fax to 202-395-7285.

**FOR FURTHER INFORMATION CONTACT:** Brett Wiedoff, Sustainable Fisheries Division, NMFS PIR, 808-944-2272.

**SUPPLEMENTARY INFORMATION:** This **Federal Register** document is also accessible at [www.gpoaccess.gov/fr/](http://www.gpoaccess.gov/fr/).

A final rule for Amendment 10 was published in the **Federal Register** on December 12, 2008 (73 FR 75615). The requirements of that final rule, other than the collection-of-information requirements, were effective on January 12, 2009. Because OMB approval of the collection-of-information requirements

had not been received by the date the final rule was published, the effective date of the associated permitting, reporting, and VMS requirements in that rule was delayed. OMB approved the collection-of-information requirements on March 9, 2009.

### Classification

This final rule has been determined to be not significant for purposes of Executive Order 12866.

Notwithstanding any other provision of the law, no person is required to respond to, and no person shall be subject to penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection of information displays a currently valid OMB control number.

This final rule contains new collection-of-information requirements subject to the PRA under OMB Control Numbers 0648–0584 (CNMI bottomfish fishing permits, vessel identification, and VMS requirements) and 0648–0214 (CNMI bottomfish fishing logs and sales reports). The public reporting burden for these requirements is estimated to be 0.5 hr per permit applicant, with renewals requiring an additional 0.5 hr annually, 20 min for completing a fishing logbook each day, and approximately 35 min per vessel per fishing trip for completing Federal sales reports. For the purpose of this rule only, vessels larger than 40 ft (12.2 m) in length are required to submit Federal sales reports. These estimates include time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding these burden estimates or any other aspect of this data collection, including suggestions for reducing the burden, to William L. Robinson (see **ADDRESSES**), or by e-mail to [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov), or fax to 202–395–7285.

### List of Subjects in 15 CFR Part 902

Reporting and recordkeeping requirements.

Dated: April 1, 2009.

**Samuel D. Rauch III**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service*

■ For the reasons set out in the preamble, 15 CFR part 902 is amended as follows:

### PART 902—NOAA INFORMATION COLLECTION REQUIREMENTS UNDER THE PAPERWORK REDUCTION ACT: OMB CONTROL NUMBERS

■ 1. The authority citation for part 902 continues to read as follows:

**Authority:** 44 U.S.C. 3501 *et seq.*

■ 2. In § 902.1, amend the table in paragraph (b), under the entry “50 CFR” by removing the entry for “665.25”, adding an entry for “665.19” in numerical order, and revising the entries for “665.16” and “665.61” to read as follows:

#### § 902.1 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

\* \* \* \* \*

(b) \* \* \*

CFR part or section where the information collection requirement is located	Current OMB control number (all numbers begin with 0648–)
*****	
50 CFR	
*****	
665.16	–0360 and –0584
*****	
665.19	–0441 and –0584
*****	
665.61	–0490 and –0584
*****	

[FR Doc. E9–7707 Filed 4–3–09; 8:45 am]

BILLING CODE 3510–22–S

### DEPARTMENT OF ENERGY

#### Federal Energy Regulatory Commission

#### 18 CFR Part 38

Docket No. RM05–5–000; OA08–50–002]

#### Standards for Business Practices and Communication Protocols for Public Utilities; Duke Energy Carolinas, LLC

Issued March 30, 2009.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Order on Requests for Waiver.

**SUMMARY:** The Federal Energy Regulatory Commission grants in part, and denies in part, requests for waiver of certain North American Electric

Standards Board (NAESB) business practice standards incorporated into Part 38 of the Commission’s regulations.

**DATES:** *Effective Date:* This rule will become effective April 6, 2009.

**FOR FURTHER INFORMATION CONTACT:** W. Mason Emmett, Office of the General Counsel—Energy Markets, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 502–6540.

#### SUPPLEMENTARY INFORMATION:

*Before Commissioners:* Jon Wellinghoff, Chairman; Suede G. Kelly, Marc Spitzer, and Philip D. Moeller.

1. On January 6, 2009, the Edison Electric Institute (EEI) submitted in Docket No. RM05–5–000 a request on behalf of electric transmission providers that the Commission issue a blanket waiver of certain North American Electric Standards Board (NAESB) business practice standards incorporated into the Commission’s regulations. EEI states that the NAESB business practices require the posting of information that is inconsistent with the Commission’s posting requirements under Part 358 of its regulations, as amended in Order No. 717.<sup>1</sup> The Commission grants in part, and denies in part, the requested waiver, as discussed below.

2. On January 16, 2009, Duke Energy Carolinas, LLC (Duke) renewed EEI’s request for waiver in Docket No. OA08–50–002 as part of a compliance filing proposing to incorporate the latest version of NAESB’s business practice standards into Duke’s Open Access Transmission Tariff (OATT).<sup>2</sup> Duke proposed incorporating a reference to the pending request for waiver into certain provisions of its OATT. The Commission directs Duke to submit a further compliance filing, described below, to reflect the Commission’s decision to grant in part, and deny in part, the requested waiver.

#### I. Background

3. NAESB is a non-profit standards development organization established in January 2002 that serves as an industry forum for the development of standards that promote a seamless marketplace for wholesale and retail natural gas and electricity. In a series of orders, the Commission has incorporated certain of

<sup>1</sup> *Standards of Conduct for Transmission Providers*, Order No. 717, 73 FR 63796 (Oct. 27, 2008), FERC Stats. & Regs. ¶ 31, 280 (2008), *reh’g pending*.

<sup>2</sup> The Commission recently accepted Duke’s compliance filing, but deferred action on its request for waiver of NAESB’s business practice standards. See *Duke Energy Carolinas, LLC*, 126 FERC ¶ 61, 226 (2009).