

Actions	Compliance	Procedures
(2) If cracks are found during any inspection required in paragraph (d)(1) of this AD, accomplish the following: (i) Obtain a repair scheme from the manufacturer through the FAA at the address specified in paragraph (f) of this AD; and (ii) Incorporate this repair scheme	Prior to further flight after the inspection in which the cracks are found. The incorporation of the repair scheme will terminate the repetitive inspections.	In accordance with the repair scheme obtained from Air Tractor, Incorporated, P.O. Box 485, Olney, Texas 76374. Obtain this repair scheme through the FAA at the address specified in paragraph (f) of this AD.
(3) If no cracks were found during any inspection required in paragraph (d)(1) of this AD, accomplish the following: (i) Inspect as required in paragraph (d)(1) to ensure there are no cracks; and (ii) Install gusset part numbers 11946-1 and 11686-1 (or FAA-approved equivalent part numbers)	Within the next 12 calendar months after the effective date of this AD. You may install the reinforcement gussets at any time to terminate the repetitive inspections provided that you inspect prior to installation and no cracks are found.	In accordance with Snow Engineering Co. Service Letter #213, dated November 13, 2001, Snow Engineering Co. Process Specification #102, revised January 5, 2001, Snow Engineering Co. Process Specification #120, revised December 16, 1997, and Snow Engineering Co. Process Specification #125, dated November 28, 1993, as specified in Service Letter #213, and the applicable maintenance manual.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

- (1) Your alternative method of compliance provides an equivalent level of safety; and
- (2) The Manager, Fort Worth Aircraft Certification Office (ACO), approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO.

Note: This AD applies to each airplane identified in paragraph (a) of this AD, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Andrew D. McAnaul, Aerospace Engineer, FAA, Fort Worth Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; telephone: (817) 222-5156; facsimile: (817) 222-5960.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *How do I get copies of the documents referenced in this AD?* You may get copies of the documents referenced in this AD from Air Tractor, Incorporated, P.O. Box 485, Olney, Texas 76374. You may view these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on March 4, 2002.

James E. Jackson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 01-ANM-17]

Proposed Modification of Class E Airspace, Newport, OR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to modify existing Class E airspace at Newport, OR. Newly developed Area Navigation (RNAV) Special Standard Instrument Approach Procedure (SIAP) and the certification of new weather reporting equipment at the Newport Municipal Airport has made this proposal necessary. Additional Class E 700-foot and 1,200-foot controlled airspace, above the surface of the earth is required to contain aircraft executing the RNAV RWY 16 Global Positioning System (GPS) SIAP at Newport Municipal Airport. Newport Municipal Airport currently has part-time Class E-2 airspace due to the lack of weather reporting. New weather reporting equipment has been installed and certified, therefore, this proposal also changes the Class E-2 Airspace at Newport, OR, to 24-hour operation. The intended effect of this action is to provide adequate Class E controlled

airspace between the terminal and the en route phase of flight for aircraft executing Instrument Flight Rules (IFR) operations at Newport Municipal Airport, Newport, OR.

DATES: Comments must be received on or before April 25, 2002.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace Branch, ANM-520, Federal Aviation Administration, Docket No. 01-ANM-17, 1601 Lind Avenue SW, Renton, Washington 98055-4056.

An informal docket may also be examined during normal business hours in the office of the Manager, Air Traffic Division, Airspace Branch, at the address listed above.

FOR FURTHER INFORMATION CONTACT: Brian Durham, ANM-520.7, Federal Aviation Administration, Docket No. 01-ANM-17, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone number: (425) 227-2527.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit, with those comments, a self-addressed

stamped postcard on which the following statement is made:

“Comments to Airspace Docket No. 01–ANM–17.” The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in the light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Airspace Branch, ANM–520, 1601 Lind Avenue SW, Renton, Washington 98055–4056. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to Title 14 Code of Federal Regulations, part 71 (14 CFR part 71) by modifying existing Class E airspace at Newport, OR. Newly developed RNAV RWY 16 SIAP at the Newport Municipal Airport and newly installed 24-hour weather reporting equipment has made this proposal necessary. Additional Class E 700-foot and E 1,200-foot controlled airspace, above the surface of the earth is required to contain aircraft executing the Instrument Flight Rules (IFR) operations, at Newport Municipal Airport. Newport Municipal Airport currently has part-time Class E–2 airspace due to the lack of weather reporting. New weather reporting equipment has been installed and certified; therefore, this proposal also changes the Class E–2 Airspace at Newport, OR, to a 24-hour operation. The FAA establishes Class E airspace where necessary to contain aircraft transitioning between the terminal and en route environments. The intended effect of this proposal is designed to provide for the safe and efficient use of the navigable airspace. This proposal would promote safe flight operations under IFR at the Newport Municipal

Airport and between the terminal and en route transition stages.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace designated as surface area for an airport, are published in Paragraph 6002; Class E airspace areas extending upward from 700-feet or more above the surface of the earth, are published in Paragraph 6005, of FAA Order 7400.9J, dated August 31, 2001, and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11013; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9J, Airspace Designations and Reporting Points,

dated August 31, 2001, and effective September 16, 2001, is amended as follows:

Paragraph 6002 Class E airspace designated as surface area for an airport.

* * * * *

ANM OR E2 Newport, OR [Revised]

Newport Municipal Airport, OR
(Lat. 44°34'49" N, long. 124°03'28" W.)
Newport VORTAC
(Lat. 44°34'31" N, long. 124°03'38" W.)

Within a 4-mile radius of the Newport Municipal Airport, and within 3.5 miles each side of the Newport VORTAC 357° radial extending from the 4-mile radius to 7.9 miles north of the VORTAC.

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Paragraph 6005 Class E airspace areas extending upward from 700-feet or more above the surface of the earth.

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ANM OR E5 Newport, or [Revised]

Newport Municipal Airport, OR
(Lat. 44°34'49" N, long. 124°03'28" W.)
Newport VORTAC
(Lat. 44°34'31" N, long. 124°03'38" W.)

That airspace extending upward from 700-feet above the surface within a 5.5 mile radius of Newport Municipal Airport, and within 3.5 miles each side of the 005° bearing from the Newport VORTAC extending from the 5.5 mile radius to 8.7 miles north of the VORTAC, and within 2 miles each side of the Newport VORTAC 044° radial extending from the 5.5 mile radius to 11.4 miles northeast of the VORTAC, and within 3 miles each side of the Newport VORTAC 341° radial extending from the 5.5 mile radius to 7 miles northwest of the VORTAC; and that airspace extending upward from 1,200-feet above the surface, bounded by a line beginning at lat. 44°35'27" N., long. 124°17'15" W.; to lat. 44°47'56" N., long. 124°21'20" W.; to lat. 44°51'32" N., long. 124°21'30" W.; to lat. 44°54'10" N., long. 124°19'50" W.; to lat. 45°05'37" N., long. 124°18'01" W.; to lat. 45°05'37" N., long. 123°52'30" W.; to lat. 44°31'59" N., long. 123°58'04" W., to lat. 44°18'20" N.; long. 124°11'55" W., to lat. 44°21'58" N.; long. 124°20'30" W., to lat. 44°25'22" N.; long. 124°14'40" W.; thence to point of origin; excluding that airspace within Federal Airways, the Tillamook and Corvallis, OR, Class E airspace area.

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Issued in Seattle, Washington, on February 27, 2002.

Charles E. Davis,

Acting Assistant Manager, Air Traffic Division, Northwest Mountain Region.

[FR Doc. 02–5813 Filed 3–8–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF DEFENSE**Department of the Army, Corps of Engineers****33 CFR Part 334****Department of Air Force, Wisconsin Air National Guard Danger Zone, R-6903, Lake Michigan, Sheboygan County, Wisconsin**

AGENCY: United States Army Corps of Engineers, DoD.

ACTION: Notice of proposed rulemaking and request for comments.

SUMMARY: The U.S. Corps of Engineers is proposing regulations to reestablish a Danger Zone in Lake Michigan offshore from Sheboygan County, Wisconsin. These regulations will enable the Wisconsin Air National Guard (WiANG) to ensure the safety of fishermen and mariners in the vicinity of a live fire exercise area, which is located off the Wisconsin shoreline in Lake Michigan from Manitowoc to Port Washington, Wisconsin. The regulations are necessary to protect fishermen and mariners from potentially hazardous conditions which may exist as a result of WiANG's use of the area.

DATES: Written comments must be submitted on or before April 10, 2002.

ADDRESSES: U. S Army Corps of Engineers, ATTN: CECW-OR, 441 G Street, NW., Washington, DC 20314-1000.

FOR FURTHER INFORMATION CONTACT: Mr. Frank Torbett, Headquarters Regulatory Branch, Washington, D.C. at (202) 761-4618, or Mr. Howard J. Ecklund, Corps of Engineers, St. Paul District, Regulatory Branch, at (262) 547-4171.

SUPPLEMENTARY INFORMATION: Pursuant to its authorities in Section 7 of the Rivers and Harbors Act of 1917 (40 Stat. 266; 33 U.S.C. 1) and Chapter XIX, of the Army Appropriations Act of 1919 (40 Stat. 892; 33 U.S.C. 3) the Corps proposes to amend the restricted area regulations in 33 CFR part 334 by adding section 334.845 which establishes a danger zone in Lake Michigan offshore from Manitowoc and Sheboygan Counties, Wisconsin. The public currently has unrestricted access to the waters of Lake Michigan in close proximity to WiANG's exercise area. To better protect fishermen and mariners, the WiANG has requested the Corps of Engineers establish this danger zone that will enable the WiANG to continue to use this area to maintain its combat mission readiness.

Procedural Requirements*a. Review under Executive Order 12866*

This proposed rule is issued with respect to a military function of the Defense Department and the provisions of Executive Order 12866 do not apply.

b. Review under the Regulatory Flexibility Act

These proposed rules have been reviewed under the Regulatory Flexibility Act (Public Law 96-354) which requires the preparation of a regulatory flexibility analysis for any regulation that will have a significant economic impact on a substantial number of small entities (i.e., small businesses and small Governments). The Corps expects that the economic impact of the reestablishment of this danger zone would have practically no impact on the public, no anticipated navigational hazard or interference with existing waterway traffic and accordingly, certifies that this proposal if adopted, will have no significant economic impact on small entities.

c. Review under the National Environmental Policy Act

An environmental assessment has been prepared for this action. We have concluded, based on the minor nature of the proposed danger zone regulations, that this action, if adopted, will not have a significant impact to the quality of the human environment, and preparation of an environmental impact statement is not required. The environmental assessment may be reviewed at the District office listed at the end of **FOR FURTHER INFORMATION CONTACT** paragraph above.

d. Unfunded Mandates Act

This proposed rule does not impose an enforceable duty among the private sector and, therefore, it is not a Federal private sector mandate and it is not subject to the requirements of either Section 202 or Section 205 of the Unfunded Mandates Act. We have also found under Section 203 of the Act, that small Governments will not be significantly and uniquely affected by this rulemaking.

List of Subjects in 33 CFR Part 334

Danger zones, Marine safety, Navigation (water), Restricted areas, Waterways.

For the reasons set out in the preamble, the Corps proposes to amend 33 CFR part 334, as follows:

PART 334—DANGER ZONE AND RESTRICTED AREA REGULATIONS

1. The authority citation for 33 CFR part 334 continues to read as follows:

Authority: 40 Stat. 266 (33 U.S.C. 1) and 40 Stat. 892 (33 U.S.C. 3).

2. Section 334.845 would be added to read as follows:

§ 334.845 Wisconsin Air National Guard, Volk Field military exercise area located in Lake Michigan offshore from Manitowoc and Sheboygan Counties; Danger Zone.

(a) *The area.* The waters within an area beginning at a point at latitude 43°19'00" N., longitude 87°41'00" W.; to latitude 44°05'30" N, longitude 87°29'45" W.; to latitude 44°02'00" N., longitude 87°02'30" W.; to latitude 43°15'30" N., longitude 87°14'00" W.; thence to the point of beginning.

(b) *The regulation.* (1) All vessels entering the danger zone shall proceed across the area by the most direct route and without unnecessary delay.

(2) No vessel or craft of any size shall lie-to or anchor in the danger zone at any time other than a vessel operated by or for the U.S. Coast Guard, local, State, or Federal law enforcement agencies.

(c) *Enforcement.* The regulation in this section shall be enforced by the Commanding Officer, Volk Field, WI and/or persons or agencies as he/she may designate.

Dated: February 26, 2002.

Lawrence A. Lang,

Deputy, Operations Division, Directorate of Civil Works.

[FR Doc. 02-5655 Filed 3-8-02; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS**38 CFR Part 3****RIN 2900-AK97****Time Limit for Requests for *De Novo* Review**

AGENCY: Department of Veterans Affairs.
ACTION: Proposed rule.

SUMMARY: This document proposes to amend the Department of Veterans Affairs (VA) adjudication regulations concerning the time a claimant has in which to request a *de novo* review of a claim at the Veterans Service Center level after filing a Notice of Disagreement (NOD). We believe this amendment will eliminate unnecessary delays in the appeals process without adversely affecting claimants.

DATES: Comments must be received on or before May 10, 2002.