

modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-ANE-64-AD." The postcard will be date stamped and returned to the commenter.

### Regulatory Analysis

This final rule does not have federalism implications, as defined in Executive Order 13132, because it would not have a substantial direct effect 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this final rule.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by removing Amendment 39-9998 (62 FR 23642, May 1, 1997), and by adding a new airworthiness directive, Amendment 39-12876, to read as follows:

##### 97-09-02R1 CFM International:

Amendment 39-12876. Docket No. 95-ANE-64-AD. Revises AD 97-09-02, Amendment 39-9998.

#### Applicability

This airworthiness directive (AD) is applicable to CFM International (CFMI) CFM56-5C2/G, -5C3/G, and -5C4 series turbofan engines. These engines are installed on, but not limited to Airbus Industrie A340 series airplanes.

**Note 1:** This AD applies to each engine identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For engines 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 (i) 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 the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

#### Compliance

Compliance with this AD is required as indicated, unless already done.

To prevent a low-cycle-fatigue (LCF) failure of the high pressure turbine rotor (HPT) front shaft, HPT front air seal, HPT disk, booster spool, and low pressure turbine rotor (LPT) stage 3 disk, which could result in an uncontained engine failure and damage to the airplane, do the following:

(a) Remove from service HPT front shafts, part numbers (P/N's) 1498M40P03, 1498M40P05, and 1498M40P06, before accumulating 8,400 cycles-since-new (CSN), and replace with a serviceable part.

(b) Remove from service HPT front air seals, P/N's 1523M34P02 and 1523M34P03, before accumulating 4,000 CSN, and replace with a serviceable part.

(c) Remove from service HPT disks, P/N 1498M43P04, before accumulating 7,800 CSN, and replace with a serviceable part.

(d) Remove from service booster spools, P/N 337-005-210-0, before accumulating 13,000 CSN, and replace with a serviceable part.

(e) For CFM56-5C4 engines only, remove from service LPT stage 3 disks, P/N's 337-001-602-0 and 337-001-605-0, before accumulating 7,000 CSN, and replace with a serviceable part.

(f) For CFM56-5C2/G and -5C3/G engines only, remove from service LPT stage 3 disks P/N's 337-001-602-0 and 337-001-605-0, before accumulating 20,000 CSN, and replace with a serviceable part.

(g) This action establishes the new LCF retirement lives stated in paragraphs (a)

through (f) of this AD, which are published in Chapter 05 of the CFM56-5C Engine Shop Manual, CFMI-TP.SM.8.

(h) For the purpose of this AD, a serviceable part is one that has not exceeded its respective new life limit as set out in this AD.

#### Alternative Methods of Compliance

(i) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Engine Certification Office (ECO). The request must be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, ECO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the ECO.

#### Special Flight Permits

(j) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be done.

#### Effective Date

(k) This amendment becomes effective on September 24, 2002.

Issued in Burlington, Massachusetts, on August 29, 2002.

**Francis A. Favara,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 02-22761 Filed 9-6-02; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

**[CGD08-02-021]**

### Drawbridge Operating Regulations; Ouachita River, LA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation governing the operation of the Union Pacific Railroad vertical lift drawbridge across the Ouachita River, mile 114.3, near Riverton, Caldwell Parish, Louisiana. This deviation allows the draw to remain closed to navigation from 8 a.m. on Monday, September 23, 2002 until 5 p.m. on Thursday, September 26, 2002. The deviation is necessary to allow for the installation of new diesel-powered generators and

some modifications of the gears in the driveline.

**DATES:** This deviation is effective from 8 a.m. on September 23, 2002 until 5 p.m. on September 26, 2002.

**ADDRESSES:** Materials referred to in this deviation are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Commander (obc), 501 Magazine Street, New Orleans, Louisiana, 70130-3396. Appointment hours are between 7 a.m. and 3 p.m. Monday through Friday except federal holidays. The Bridge Administration Branch maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Mr. Philip Johnson, Bridge Administration Branch, at the address given above or telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:** The Union Pacific Railroad vertical lift drawbridge across the Ouachita River, mile 114.3, near Riverton, Caldwell Parish, Louisiana, has a vertical clearance of 7 feet above mean high water, elevation 71.0 feet NGVD, in the closed-to-navigation position and 57 feet above mean high water in the open-to-navigation position. Navigation on the waterway consists of tugs with tows and occasional recreational craft. Presently, the draw opens on signal for the passage of vessels.

The Union Pacific Railroad requested a temporary deviation for the operation of the drawbridge to accommodate the replacement of diesel-powered generators and to modify the gears in the driveline. This work is essential for continued operation of the draw span of the bridge.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: August 29, 2002.

**Roy J. Casto,**

*Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.*

[FR Doc. 02-22828 Filed 9-6-02; 8:45 am]

**BILLING CODE 4910-15-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 52**

**[ME056-1-7005a; FRL-7269-6]**

#### **Approval and Promulgation of Air Quality Implementation Plans; Maine; Reasonably Available Control Technology for Nitrogen Oxides**

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

**ACTION:** Direct final rule.

**SUMMARY:** The EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Maine. This SIP revision establishes and requires Reasonably Available Control Technology (RACT) at stationary sources of nitrogen oxides (NO<sub>x</sub>) in York, Cumberland, Sagadahoc, Androscoggin, Kennebec, Lincoln, and Knox counties. The intended effect of this action is to approve regulatory provisions and source specific air emissions licenses which require major stationary sources of NO<sub>x</sub> to reduce their emissions in accordance with requirements of the Clean Air Act.

**DATES:** This direct final rule is effective on November 8, 2002 without further notice, unless EPA receives adverse comment by October 9, 2002. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** You should address your comments to Mr. David Conroy, Unit Manager, Air Quality Planning Unit, Office of Ecosystem Protection (mail code CAQ), U.S. Environmental Protection Agency, Region I, One Congress Street, Suite 1100, Boston, MA 02114-2023. Copies of the documents relevant to this action are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA, and the Bureau of Air Quality Control, Department of Environmental Protection, First Floor of the Tyson Building, Augusta Mental Health Institute Complex, Augusta, ME 04333-0017.

**FOR FURTHER INFORMATION CONTACT:** Dan Brown, Environmental Engineer, Air Quality Planning Unit (CAQ), U.S. EPA, Region I, One Congress Street, Suite 1100, Boston, MA 02114-2023; (617) 918-1532; *brown.dan@epa.gov*.

**SUPPLEMENTARY INFORMATION:** This document is organized according to the following Table of Contents.

- I. What Action Is EPA Taking Today?
- II. Why Is the EPA Taking This Action?
- III. What Did Maine Submit as Part of Its SIP?
  - A. Chapter 138
  - B. Miscellaneous NO<sub>x</sub> RACT and the Alternative NO<sub>x</sub> RACT for Pioneer Plastics Corporation in Auburn, Maine
  - C. Miscellaneous NO<sub>x</sub> RACT for Dragon Products Company, Inc., in Thomaston, Maine
  - D. Alternative NO<sub>x</sub> RACT for Tree Free Fiber Company, LLC, (formerly Statler Tissue) in Augusta, Maine
  - E. Alternative NO<sub>x</sub> RACT for Mid-Maine Waste Action Corporation's Facility in Auburn, Maine
  - F. Alternative NO<sub>x</sub> RACT for Maine Energy Recovery Company in Biddeford, Maine
  - G. Miscellaneous and Alternative NO<sub>x</sub> RACT for Portsmouth Naval Shipyard in Kittery, Maine
  - H. Capacity Limitations and the Testing, Monitoring, Recordkeeping, and Reporting Requirements for S.D. Warren Company in Westbrook, Maine
  - I. Testing, Monitoring, Recordkeeping and Reporting Requirements for FMC Corporation—Food Ingredients Division in Rockland, Maine
  - J. Alternative NO<sub>x</sub> RACT and Testing, Monitoring, Recordkeeping and Reporting Requirements for the Chinet Company in Waterville, Maine
  - K. Testing, Monitoring, Recordkeeping and Reporting Requirements for Scott Paper Company in Winslow, Maine
  - L. Testing, Monitoring, Recordkeeping and Reporting Requirements for FPL Energy's (formerly Central Maine Power) W.F. Wyman Station in Yarmouth, Maine
- IV. What Is the Relationship Between the Chapter 138 NO<sub>x</sub> RACT Rule and the Chapter 117 Source Surveillance Rule?
- V. What Are the Administrative Requirements?

**I. What Action Is EPA Taking Today?**

The EPA is approving Chapter 138 as well as the air emissions licenses for Pioneer Plastics Corporation in Auburn; Dragon Products, Incorporated, in Thomaston; Tree Free Fiber Company, LLC, (formerly Statler Tissue) in Augusta; Mid-Maine Waste Action Corporation in Auburn; Maine Energy Recovery Company in Biddeford; Portsmouth Naval Shipyard in Kittery; S.D. Warren Company in Westbrook; FMC Corporation—Food Ingredients Division in Rockland; the Chinet Company in Waterville; Scott Paper Company in Winslow; and FPL Energy's (formerly Central Maine Power) W.F. Wyman Station in Yarmouth, as collectively meeting the CAA requirements for NO<sub>x</sub> RACT in the moderate nonattainment areas of Maine. This approval action will incorporate these documents into the Maine SIP.