

Actions	Compliance
<p>(1) Inspect the wing spar doublers and spar cap angles for cracks from the root end to the outboard of the wing attachment fittings, as follows:</p> <p>(i) From inside the wheel well, clean the upper and lower wing spar doublers and adjoining structure to the paint. Use a detergent or mineral-based solvent.</p> <p>(ii) Use a strong light source and a 3x magnifying glass to inspect the exposed areas of the upper and lower spar doublers and adjoining structure for cracks. Use a mirror to inspect the exposed edge of the spar cap angle behind the doubler.</p> <p>(2) Replace any doubler or angle found cracked during the inspection required by paragraphs (d)(1), (d)(1)(i), and (d)(1)(ii) of this AD. Replace with new parts that incorporate the same part numbers or FAA-approved equivalent part numbers.</p> <p>(3) Report the results of the inspection to the FAA at the address specified in paragraph (f) of this AD. Use the inspection report that is included as Figure 1 of this AD. The Office of Management and Budget (OMB) approved the information collection requirements contained in this regulation under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 <i>et seq.</i>) and assigned OMB Control Number 2120-0056.</p>	<p>Upon accumulating 25 hours time-in-service (TIS) after incorporating Modification B-79 or FAA-approved equivalent (the modification required by AD 2000-10-22) or within the next 10 hours TIS after October 23, 2002 (the effective date of this AD), whichever occurs later, unless already accomplished after accumulating 25 hours TIS after incorporating the modification required by AD 2000-10-22.</p> <p>Prior to further flight after the inspection.</p> <p>Within 7 days after the the inspection required by this AD or 7 days after October 23, 2002 (the effective date of this AD), whichever occurs later.</p>

### Figure 1 to AD 2002-21-05—Inspection Report

Report the following information to: Manager, Boston Aircraft Certification Office, Engine And Propeller Directorate, Aircraft Certification Service, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299, Fax: (781) 238-7170.

Operator/Repair Station \_\_\_\_\_  
 Aircraft Model \_\_\_\_\_  
 Aircraft S/N \_\_\_\_\_  
 Date of Inspection \_\_\_\_\_  
 Aircraft Time-in Service (TIS):  
 Total \_\_\_\_\_  
 Since installation of AD 2000-10-22 Kit \_\_\_\_\_

**Note:** Add additional pages for the following for each part inspected.

Part No. \_\_\_\_\_  
 Inspection \_\_\_\_\_  
 Pass \_\_\_\_\_  
 Fail \_\_\_\_\_

If a crack is found, indicate the approximate location on the part and the length of the crack in inches:  
 \_\_\_\_\_  
 \_\_\_\_\_

Part Time-In Service (TIS) (Hours):  
 Estimated \_\_\_\_\_  
 Actual \_\_\_\_\_  
 Unknown \_\_\_\_\_

(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, Boston 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, Boston 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 Mr. Richard B. Noll, Aerospace Engineer, FAA, Boston Aircraft Certification Office, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone: (781) 238-7160; facsimile: (781) 238-7170.

(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) *When does this amendment become effective?* This amendment becomes effective on October 23, 2002.

Issued in Kansas City, Missouri, on October 8, 2002.

**Michael Gallagher,**

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02-26371 Filed 10-16-02; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP St. Louis-02-005]

RIN 2115-AA97

#### Security Zones; Captain of the Port St. Louis, MO

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing five security zones throughout the Captain of the Port St. Louis zone. These security zones are necessary to protect the Fort Calhoun Nuclear Power Station in Fort Calhoun, Nebraska, the Cooper Nuclear Station in Brownville, Nebraska, the Quad Cities Generating Station in Cordova, Illinois, the Prairie Island Nuclear Generating Facility in Welch, Minnesota, and the Clinton Power Station in Clinton, Illinois from subversive actions by any group or groups of individuals whose objective it is to cause disruption to the daily operations of these facilities. Entry into any of these security zones is prohibited unless authorized by the Captain of the Port St. Louis or designated representative.

**DATES:** This rule is effective beginning 8:01 a.m. on October 15, 2002.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of [COTP St. Louis-02-005] and are available for inspection or copying at Marine Safety Office St. Louis, Suite 8.104E, 1222 Spruce St. St. Louis, MO

between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Junior Grade (LTJG) Bill Clark, Marine Safety Office St. Louis at (314) 539-3091, ext. 3500.

**SUPPLEMENTARY INFORMATION:**

**Regulatory Information**

On June 11, 2002, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled "Security Zones; Captain of the Port St. Louis, MO", in the **Federal Register** (67 FR 39922). We received no comments on the proposed rule. No public hearing was requested, and none was held.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. National security and intelligence officials continue to warn that future terrorist attacks against United States interests are likely. Any delay in making this final rule effective would be contrary to the public interest because action is necessary to protect against the possible loss of life, injury, or damage to property.

**Background and Purpose**

On September 11, 2001, both towers of the World Trade Center and the Pentagon were attacked by terrorists. National security and intelligence officials have warned that future terrorist attacks against civilian targets are anticipated. In response to these terrorist acts and warnings the Captain of the Port St. Louis created three temporary security zones and published an NPRM proposing two additional security zones. The three temporary security zones the Captain of the Port, St. Louis established are: the Fort Calhoun Nuclear Power Station zone on the Missouri River in Fort Calhoun, Nebraska, published in the **Federal Register** March 7, 2002 (67 FR 10325) amended by 67 FR 40615; the Cooper Nuclear Station zone on the Missouri River in Brownville, Nebraska, published March 7, 2002 (67 FR 10324) amended by 67 FR 40617; and the Quad Cities Generating Station zone on the Mississippi River in Cordova, Illinois, published February 28, 2002 (67 FR 9207) amended by 67 FR 40613. We received no comments or objections concerning these temporary final rules.

Advisories regarding threats of terrorism continue. The Captain of the Port St. Louis has determined that security zones are needed for the areas covered by the NPRM and is creating five permanent security zones.

(1) *Fort Calhoun Nuclear Power Station, Fort Calhoun, Nebraska.* This

zone includes all water extending 75 feet from the shoreline of the right descending bank on the Missouri River, beginning at mile marker 645.6 and ending at mile marker 646.0.

(2) *Cooper Nuclear Station, Brownville, Nebraska.* This zone includes all water extending 250 feet from the shoreline of the right descending bank on the Missouri River, beginning at mile marker 532.5 and ending at mile marker 532.9.

(3) *Quad Cities Generating Station, Cordova, Illinois.* This zone includes all water extending 300 feet from the shoreline of the left descending bank on the Upper Mississippi River, beginning at mile marker 506.3 and ending at mile marker 507.3.

(4) *Prairie Island Nuclear Generating Facility, Welch, Minnesota.* This zone includes all water extending 300 feet from the shoreline of the right descending bank on the Upper Mississippi River, beginning at mile marker 798.0 and ending at mile marker 798.3.

(5) *Clinton Power Station, Clinton, Illinois.* This zone in DeWitt County in East Central Illinois is bounded by a dam constructed near the confluence of Salt Creek River mile 56 and the north fork of Salt Creek. The zone extends out 600 feet from shore. Boundaries of the zone will begin at 40°10'30" N, 88°50'30" W; east to 40°10'30" N, 88°49'55" W; south to 40°10'15" N, 88°49'55" W; west to 40°10'15" N, 88°5'30" W; returning north to the origin. These coordinates are based upon [NAD 83].

These security zones are designed to reduce the potential of a waterborne attack and enhance the public health and safety by protecting the public, facilities, and surrounding areas from possible subversive actions or acts of terrorism. All persons and vessels are prohibited from entering the Prairie Island, Quad Cities and Clinton security zones unless expressly authorized by the Captain of the Port St. Louis or his designated representative. Sight surveys indicate that vessels may safely navigate around these zones with minimal interference.

Both the Fort Calhoun and the Cooper security zones contain a portion of the navigable channel of the Missouri River. All vessels that may safely navigate outside of the channel are prohibited from entering the security zone without the express permission of the Captain of the Port St. Louis or designated representative. Vessels requiring use of the channel for safe navigation are authorized entry into the zone but must remain within the channel unless otherwise expressly authorized by the

Captain of the Port St. Louis or designated representative.

**Discussion of Comments and Changes**

We received no comments on the proposed rule or on the temporary final rules or extensions. Therefore, we have made no substantive changes to the provisions of the proposed rule.

**Regulatory Evaluation**

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory and Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979).

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

With the exception of the Fort Calhoun and Cooper zones the zones do not include navigable channels. Vessel traffic should be able to safely transit around these zones. The zones for Fort Calhoun Nuclear Power Station and the Cooper Nuclear Station allow deeper draft vessels to continue their transit, provided that they remain within the channel. Vessels that must transit through any of these security zones may seek permission from the Captain of the Port St. Louis or his designated representative.

**Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. The Coast Guard is unaware of any small entities that would be impacted by this rule. The navigable channel remains open to all vessel traffic. We received no comments or objections regarding the previous security zones covering the same areas.

If you are a small business entity and are significantly affected by this

regulation please contact LTJG Bill Clark, Marine Safety Office St. Louis at (314) 539-3091, ext. 3500.

#### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we offered to assist small entities in understanding the rule so they could better evaluate its effects on them and participate in the rulemaking processes.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

#### Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

#### Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

#### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### Taking of Private Property

This rule will not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

#### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does 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.

#### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that Order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Environment

The Coast Guard considered the environmental impact of this rule and concluded that under figure 2-1, paragraph (34)(g) of Commandant Instruction M16475.1D, this rule is categorically excluded from further environmental documentation because this rule is not expected to result in any significant environmental impact as described in the National Environmental Policy Act of 1969 (NEPA). A "Categorical Exclusion Determination" is available in the docket where indicated under

#### ADDRESSES.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping

requirements, Security measures and Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. Add § 165.825 to read as follows:

#### § 165.825 Security Zones; Captain of the Port St. Louis, Missouri.

(a) *Location.* The following areas are security zones:

(1) *Fort Calhoun Nuclear Power Station Security Zone, Fort Calhoun, Nebraska*—all waters of the Missouri River, extending 75 feet from the shoreline of the right descending bank beginning from mile marker 645.6 and ending at mile marker 646.0.

(2) *Cooper Nuclear Station Security Zone, Brownville, Nebraska*—all waters of the Missouri River, extending 250 feet from the shoreline of the right descending bank beginning from mile marker 532.5 and ending at mile marker 532.9.

(3) *Quad Cities Generating Station Security Zone, Cordova, Illinois*—all waters of the Upper Mississippi River, extending 300 feet from the shoreline of the left descending bank beginning from mile marker 506.3 and ending at mile marker 507.3.

(4) *Prairie Island Nuclear Generating Facility Security Zone, Welch, Minnesota*—all waters of the Upper Mississippi River, extending 300 feet from the shoreline of the right descending bank beginning from mile marker 798.0 and ending at 798.3.

(5) *Clinton Power Station Security Zone, Clinton, Illinois*—all waters of Lake Clinton in Dewitt County in East Central Illinois bounded by a dam constructed near the confluence of Salt Creek River mile 56 and the north fork of Salt Creek. The zone extends out 600 feet from shore. Boundaries of the zone begin at 40°10'30" N, 88°50'30" W; thence east to 40°10'30" N, 88°49'55" W; thence south to 40°10'15" N, 88°49'55" W; thence west to 40°10'15" N, 88°50'30" W; thence returning north to the origin. These coordinates are based upon [NAD 83].

(b) *Regulations.* (1) Entry into these security zones is prohibited unless authorized by the Coast Guard Captain of the Port, St. Louis or designated representative.

(2) The Ft. Calhoun and Cooper security zones include a portion of the navigable channel of the Missouri River. All vessels that may safely navigate outside of the channel are prohibited from entering the security zone without the express permission of the Captain of the Port St. Louis or designated representative. Vessels that are required to use the channel for safe navigation are authorized entry into the zone but must remain within the channel unless expressly authorized by the Captain of the Port St. Louis or designated representative.

(3) Persons or vessels requiring the Captain of the Port St. Louis' permission to enter the security zones must contact the Coast Guard Group Upper Mississippi River at telephone number 319 524-7511 or on VHF marine channel 16 or Marine Safety Detachment Quad Cities at telephone number 309 782-0627 or the Captain of the Port, St. Louis at telephone number 314 539-3091, ext. 3500 in order to seek permission to enter the security zones. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port, St. Louis or designated representative.

(4) Designated representatives are commissioned, warrant, and petty officers of the U.S. Coast Guard.

(c) *Authority.* In addition to 33 U.S.C. 1231, the authority for this section includes 33 U.S.C. 1226.

Dated: October 1, 2002.

**D.C. Haynes,**

*Lieutenant Commander, U.S. Coast Guard,  
Acting Captain of the Port, St. Louis.*

[FR Doc. 02-26460 Filed 10-11-02; 5:10 pm]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[COTP Corpus Christi-02-003]

RIN 2115-AA97

#### **Security Zones; Port of Port Lavaca-Point Comfort, Point Comfort, TX; Port of Corpus Christi Inner Harbor, Corpus Christi, TX**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing security zones within the Port of Port Lavaca-Point Comfort and Port of Corpus Christi Inner Harbor. These security zones are needed to protect personnel, vessels, waterfront facilities, and national security interests

in these ports from possible subversive actions by any group or groups of individuals whose objective it is to destroy or disrupt maritime activities. Entry of recreational vessels, passenger vessels, or commercial fishing vessels into these zones is prohibited unless specifically authorized by the Captain of the Port Corpus Christi or his designated representative.

**DATES:** This rule is effective beginning 8 a.m. October 15, 2002.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of [COTP Corpus Christi-02-003] and are available for inspection or copying at U.S. Coast Guard Marine Safety Office Corpus Christi, 555 N. Carancahua Street, Suite 500, Corpus Christi, Texas, between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Junior Grade (LTJG) Thomas Hopkins, Marine Safety Office Corpus Christi at (361) 888-3162 x303.

#### **SUPPLEMENTARY INFORMATION:**

##### **Regulatory Information**

On May 10, 2002, the Coast Guard published a notice of proposed rule making (NPRM) entitled "Security Zones; Port of Port Lavaca-Point Comfort, Point Comfort, TX; Port of Corpus Christi Inner Harbor, Corpus Christi, TX; and Port of Brownsville, Brownsville, TX", in the **Federal Register** (67 FR 31750). We received seven letters commenting on the proposed rule, including requests for a public hearing on the proposed Port of Brownsville zone. No public hearing was held as we have decided not to implement the proposed security zone for the Port of Brownsville at this time.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. National security and intelligence officials continue to warn that future terrorist attacks against United States interests are likely. The temporary final rule published in the **Federal Register** on March 18, 2002 (67 FR 11922) as amended on June 7, 2002 (67 FR 39301) expires on October 15, 2002. This rule replaces the original temporary final rule. Any delay in making this rule effective would be contrary to the public interest because action is necessary to protect against the possible loss of life, injury, or damage to property.

##### **Background and Purpose**

On September 11, 2001, both towers of the World Trade Center and the Pentagon were attacked by terrorists. National security and intelligence officials have warned that future terrorist attacks against civilian targets may be anticipated. In response to these terrorist acts and continued warnings, heightened awareness for the security and safety of all vessels, ports and harbors is necessary. The Captain of the Port, Corpus Christi is establishing permanent security zones within the Port of Port Lavaca-Point Comfort, Point Comfort, TX and the Port of Corpus Christi Inner Harbor, Corpus Christi, TX.

These security zones are around highly industrialized areas with concentrated commercial facilities considered critical to national security. Restricting the access of recreational, passenger, and commercial fishing vessels increases the opportunity for detection and reduces potential methods of attack on personnel, vessels and waterfront facilities within these zones.

The security zones are designed to limit the access of vessels that do not have business to conduct with facilities or structures within these industrial areas. Entry of recreational vessels, passenger vessels, or commercial fishing vessels into these zones is prohibited unless specifically authorized by the Captain of the Port Corpus Christi or his designated representative.

##### **Discussion of Comments and Changes**

We received seven comments on the proposed rule. Six of these comments opposed the creation of a security zone in the Brownsville Ship Channel because of the impact it might have on the local fishing industry. Five of these comments addressed what they considered to be a lack of sufficient threat in this area to require a security zone. After evaluating the comments received and touring the area in question with local port and recreational fishing representatives, the Coast Guard has determined there is not a need establish the proposed security zone for the Port of Brownsville in the current threat environment.

One comment was received on the proposed security zone for Port Lavaca-Point Comfort. The commenter was under the mistaken impression that the security zone would be for the entirety of Lavaca bay. Once the concerned party was made aware of the limited location of the proposed security zone, there was no objection to the zone for this area.

There were no comments received concerning the proposed security zone