

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 from the Rules Docket at the location provided under the caption **ADDRESSES**.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, 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 adding the following new airworthiness directive:

#### 2003-07-14 McDonnell Douglas:

Amendment 39-13110. Docket 2002-NM-134-AD.

**Applicability:** Model DC-10-30 airplane, fuselage number 0106, certificated in any category.

**Note 1:** The requirements of this AD are identical to those in AD 2002-13-10, amendment 39-12798, which applies to Model DC-10-10, -10F, -15, -30, -30F, -30F (KC10A and KDC-10), -40, and -40F airplanes, and Model MD-10-10F and -30F airplanes; as listed in Boeing Alert Service Bulletin DC10-28A228, including Appendix, Revision 01, dated July 16, 2001; and Model MD-11 and -11F airplanes, as listed in Boeing Alert Service Bulletin MD11-28A112, including Appendix, dated December 11, 2000.

**Note 2:** Airplane fuel tanks on which the fuel/boost pump and wiring connector have been physically removed and the fuel tank made inoperable are not subject to the requirements of this AD.

**Note 3:** This AD applies to the airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. If the airplane has 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 (c) 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:** Required as indicated, unless accomplished previously.

To prevent arcing of connectors of the fuel boost/transfer pump, which could result in a fire or explosion of the fuel tank, accomplish the following:

#### Repetitive Tests and Inspections

(a) Within 6 months after the effective date of this AD, do tests (using a digital multi-meter and Quadtech 1864 megohm meter or an equivalent megohm meter that meets current and voltage requirements, as specified in the service bulletin) for electrical continuity and resistance and a general visual inspection to detect discrepancies (e.g., damage, arcing, loose parts, wear) of the fuel boost/transfer pump (alternating current pumping unit) by accomplishing all the actions specified in the Accomplishment Instructions of Boeing Alert Service Bulletin DC10-28A228, including Appendix, Revision 02, dated December 7, 2001. Repeat the tests and inspection thereafter every 18 months. Although the service bulletin refers to a reporting requirement using the Appendix of the service bulletin, such reporting is not required.

**Note 4:** For the purposes of this AD, a general visual inspection is defined as: "A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made from within touching distance unless otherwise specified. A mirror may be necessary to enhance visual access to all exposed surfaces in the inspection area. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or droplight and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked."

#### Corrective Actions, If Necessary

(b) If the result of any test required by paragraph (a) of this AD is outside the limits specified in the service bulletin identified in that paragraph, or if any discrepancy is detected during any inspection required by paragraph (a) of this AD, before further flight, accomplish corrective actions (e.g., replacement of connector/wire assembly with serviceable connector/wire assembly, and replacement of the pump with a serviceable fuel boost/transfer pump), as applicable, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin DC10-28A228, including Appendix, Revision 02, dated December 7, 2001. Although the service bulletin refers to a reporting requirement using the Appendix of the service bulletin, such reporting is not required.

#### Alternative Methods of Compliance

(c) 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, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

**Note 5:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

#### Special Flight Permits

(d) 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 accomplished.

#### Incorporation by Reference

(e) The actions shall be done in accordance with Boeing Alert Service Bulletin DC10-28A228, including Appendix, Revision 02, dated December 7, 2001. The incorporation by reference of that document was approved previously by the Director of the Federal Register as of August 12, 2002 (67 FR 45053, July 8, 2002). Copies may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024). Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### Effective Date

(f) This amendment becomes effective on May 15, 2003.

Issued in Renton, Washington, on April 4, 2003.

#### Ali Bahrami,

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 03-8740 Filed 4-9-03; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 91, 121, 135, and 145

[Docket No. FAA-1999-5836]

RIN 2120-AC38

#### Repair Stations; Correction

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; delay of effective date; correction.

**SUMMARY:** This document makes a correction to the **DATES** section of a final rule published in the **Federal Register** on March 14, 2003 (68 FR 12542). That final rule delayed the effective date of a final rule amending the regulations for aeronautical repair stations.

**FOR FURTHER INFORMATION CONTACT:** Diana Frohn, telephone (202) 267-7027.

**Correction**

In FR Doc. 03-6181 published on March 14, 2003, on page 12542, in the first column, correct the **DATES** paragraph to read as follows:

**DATES:** The effective date of the final rule amending 14 CFR parts 91, 121, 135 and 145 published on August 6, 2001, at 66 FR 41088 is delayed until October 3, 2003, with the following exception: § 145.163 remains effective April 6, 2005.

**Donald P. Byrne,**

*Assistant Chief Counsel for Regulations.*

[FR Doc. 03-8691 Filed 4-9-03; 8:45 am]

**BILLING CODE 4910-13-M**

**TENNESSEE VALLEY AUTHORITY****18 CFR Part 1305****Land Between The Lakes—Removal of Regulations on Motorized Vehicles**

**AGENCY:** Tennessee Valley Authority.

**ACTION:** Final rule; removal.

**SUMMARY:** The Tennessee Valley Authority (TVA) hereby removes obsolete rules regulating the use of motorized vehicles over the Land Between The Lakes. Under the Land Between The Lakes Protection Act of 1998, administrative jurisdiction transferred from TVA to the United States Department of Agriculture—Forest Service (USDA-FS) on October 1, 1999. The USDA-FS currently is in charge of operation, maintenance, and development of this area. Accordingly, this rule would rescind the regulations effective upon publication in the **Federal Register**.

**EFFECTIVE DATE:** April 10, 2003.

**FOR FURTHER INFORMATION CONTACT:** Rebecca Chunn Tolene, Office of the General Counsel, Tennessee Valley Authority, 865-632-3045.

**SUPPLEMENTARY INFORMATION:** Land Between The Lakes (“LBL”) is a national recreation area located in western Kentucky and Tennessee established by the Tennessee Valley Authority (TVA) in 1964 and maintained by TVA until 1999. 18 CFR part 1305 contains rules regulating the use of motorized vehicles over LBL including designating the Turkey Bay Off-Road Vehicle Area as the only area to be authorized for use of off-road vehicles. Under the Land Between The Lakes Protection Act of 1998 (16 U.S.C. 460111-61), administrative jurisdiction transferred on October 1, 1999, from TVA to the USDA-FS. Accordingly, this rule rescinds 18 CFR part 1305 effective

upon publication in the **Federal Register**.

**List of Subjects in 18 CFR Part 1305**

Traffic regulations.

■ For reasons set out in the preamble, under the authority of 16 U.S.C. 831-831ee, Chapter XIII of Title 18 of the Code of Federal Regulations is amended as follows:

**PART 1305—[REMOVED AND RESERVED]**

■ Part 1305 is removed and reserved.

Dated: March 28, 2003.

**Kathryn J. Jackson,**

*Executive Vice President, River System Operations & Environment, Tennessee Valley Authority.*

[FR Doc. 03-8801 Filed 4-9-03; 8:45 am]

**BILLING CODE 8120-08-M**

**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation and Enforcement****30 CFR Part 901**

[AL-072-FOR]

**Alabama Regulatory Program**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Final rule; approval of amendment.

**SUMMARY:** We, the Office of Surface Mining Reclamation and Enforcement (OSM), are approving an amendment to the Alabama regulatory program (Alabama program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). Alabama proposed revisions to its rules concerning forms and license applications. Alabama revised its program to improve operational efficiency.

**EFFECTIVE DATE:** April 10, 2003.

**FOR FURTHER INFORMATION CONTACT:** Arthur W. Abbs, Director, Birmingham Field Office. Telephone: (205) 290-7282. Internet address: [aabbs@osmre.gov](mailto:aabbs@osmre.gov).

**SUPPLEMENTARY INFORMATION:**

- I. Background on the Alabama Program
- II. Submission of the Amendment
- III. OSM's Findings
- IV. Summary and Disposition of Comments
- V. OSM's Decision
- VI. Procedural Determinations

**I. Background on the Alabama Program**

Section 503(a) of the Act permits a State to assume primacy for the

regulation of surface coal mining and reclamation operations on non-Federal and non-Indian lands within its borders by demonstrating that its State program includes, among other things, “a State law which provides for the regulation of surface coal mining and reclamation operations in accordance with the requirements of this Act \* \* \*; and rules and regulations consistent with regulations issued by the Secretary pursuant to this Act.” See 30 U.S.C. 1253(a)(1) and (7). On the basis of these criteria, the Secretary of the Interior conditionally approved the Alabama program on May 20, 1982. You can find background information on the Alabama program, including the Secretary's findings, the disposition of comments, and the conditions of approval, in the May 20, 1982, **Federal Register** (47 FR 22030). You can find later actions on the Alabama program at 30 CFR 901.10, 901.15, and 901.16.

**II. Submission of the Amendment**

By letter dated October 17, 2002 (Administrative Record No. AL-0654), Alabama sent us an amendment to its program under SMCRA (30 U.S.C. 1201 *et seq.*). Alabama sent the amendment at its own initiative. Alabama proposed to revise the following provisions of the Alabama Surface Mining Commission (ASMC) rules: 880-X-1B, forms and 880-X-6A-.06, license application requirements.

We announced receipt of the proposed amendment in the January 16, 2003, **Federal Register** (68 FR 2263). In the same document, we opened the public comment period and provided an opportunity for a public hearing or meeting on the adequacy of the amendment. The public comment period closed on February 18, 2003. Because no one requested a public hearing or meeting, we did not hold one. We did not receive any comments.

**III. OSM's Findings**

Following are the findings we made concerning the amendment under SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17. We are approving the amendment as described below.

**A. ASMC 880-X-1B Forms.**

ASMC 880-X-1B lists the forms used in the operations and organization of the Alabama Surface Mining Commission. Alabama proposed to revise its list of forms by deleting some of the existing forms that are no longer used, revising the titles of other existing forms to clarify their use, and adding some new forms.