

Rules and Regulations

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DEPARTMENT OF HOMELAND SECURITY

8 CFR Part 274a

[BCIS No. 2152-01]

RIN 1615-AA63

Employment Authorization Documents; Correction

AGENCY: Bureau of Citizenship and Immigration Services, DHS.

ACTION: Interim rule; correction.

SUMMARY: The Department of Homeland Security (DHS) published in the **Federal Register** of July 30, 2004, an interim rule which amended the DHS regulations governing issuance of Employment Authorization Documents (EADs). The interim rule contained an error that is corrected in this document.

DATES: This correction is effective July 30, 2004.

FOR FURTHER INFORMATION CONTACT: Jonathan Mills, Residence and Status Services, Office of Program and Regulations Development, Bureau of Citizenship and Immigration Services, Department of Homeland Security, 425 "I" Street, NW., ULLICO Building, Third Floor, Washington, DC 20536, telephone (202) 514-4754.

SUPPLEMENTARY INFORMATION:

Need for Correction

As published in the **Federal Register** on July 30, 2004 (69 FR 45555), the interim rule amending part 274a contains an error that is in need of correction.

Correction of Publication

■ Accordingly, the publication on July 30, 2004 (69 FR 45555), of the interim rule that was the subject of FR Doc. 04-16938 is corrected as follows:

PART 274a—CONTROL OF EMPLOYMENT OF ALIENS

§ 274a.12 [Corrected]

■ 1. On page 45557, in the first column, amendatory instruction 2d is corrected to read: "Revising paragraph (c), introductory text;"

Dated: August 3, 2004.

Richard A. Sloan,

Director, Regulations and Forms Services Division.

[FR Doc. 04-17971 Filed 8-5-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION (DOT)

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2004-18758; Directorate Identifier 2004-NE-24-AD; Amendment 39-13763; AD 2004-16-07]

RIN 2120-AA64

Airworthiness Directives; General Electric Company (GE); CT7-2D1 Turboshaft Engines.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for GE CT7-2D1 turboshaft engines. This AD requires replacing certain turbine stage 2 aft cooling plates, part number (P/N) 6064T0P02. This AD results from an uncontained failure of a turbine stage 2 aft cooling plate in a GE CT7 turboprop engine. We are issuing this AD to prevent a similar uncontained failure of turbine stage 2 aft cooling plates in GE CT7-2D1 turboshaft engines.

DATES: This AD becomes effective August 23, 2004.

We must receive any comments on this AD by October 5, 2004.

ADDRESSES: Use one of the following addresses to submit comments on this proposed AD.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov>

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and follow the instructions for sending your comments electronically.

- Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- Fax: (202) 493-2251.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may examine the comments on this AD in the AD docket on the Internet at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT:

Mark J. Bouyer, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7757; fax (781) 238-7755.

SUPPLEMENTARY INFORMATION: In July of 1999, an uncontained failure of a turbine stage 2 aft cooling plate occurred on a GE CT7 turboprop engine. An investigation indicated that the electro-discharge (EDM) machining of the cooling airholes caused microcracks in the walls of the airholes that could propagate through the turbine stage 2 cooling plate and result in an uncontained engine failure. We issued AD 2002-01-03 to prevent an uncontained failure of turbine stage 2 aft cooling plates in GE CT7 turboprop engines. In October of 2003, the manufacturer informed us of a similar problem with GE CT7-2D1 turboshaft engines. This AD requires replacing turbine stage 2 aft cooling plates, P/N 6064T0P02, with serial numbers (SNs) GFFN****, GFFP****, GFFR0*** through GFFR7***, GFFR81** through GFFR89**, GFFR8A** through GFFR8G**, GFFR8H92 through GFFR8H99, and GFFR8H9A through GFFR8H9N. Asterisks represent any subsequent number or letter that follow the root SN. This condition, if not corrected, could result in an uncontained failure of turbine stage 2 aft cooling plates in GE CT7-2D1 turboshaft engines.

FAA's Determination and Requirements of This AD

Although no aircraft that are registered in the United States use these engines, the possibility exists that the engines could be used on aircraft that

are registered in the United States in the future. The unsafe condition as previously described in GE CT7 turboprop engines is likely to exist or develop in GE CT7-2D1 turboshaft engines because they are of the same type design. We are issuing this AD to prevent an uncontained failure of turbine stage 2 aft cooling plates in GE CT7-2D1 turboshaft engines. This AD requires replacing turbine stage 2 aft cooling plates, P/N 6064T07P02, with SNs GFFN****, GFFP****, GFFR0*** through GFFR7***, GFFR81** through GFFR89**, GFFR8A** through GFFR8G**, GFFR8H92 through GFFR8H99, and GFFR8H9A through GFFR8H9N at the next disassembly of the gas generator turbine rotor assembly at an FAA-approved overhaul facility, but not to exceed 5,000 cycles-since-new.

FAA's Determination of the Effective Date

Since there are currently no domestic operators of this engine, notice and opportunity for public comment before issuing this AD are unnecessary. A situation exists that allows the immediate adoption of this regulation.

Docket Management System (DMS)

We have implemented new procedures for maintaining AD dockets electronically. As of May 17, 2004, we posted new AD actions on the DMS and assigned a DMS docket number. We track each action and assign a corresponding Directorate identifier. The DMS docket No. is in the form "Docket No. FAA-200X-XXXXX." Each DMS docket also lists the Directorate identifier ("Old Docket Number") as a cross-reference for searching purposes.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any written relevant data, views, or arguments regarding this AD. Send your comments to an address listed under **ADDRESSES**. Include "AD Docket No. FAA-2004-18758; Directorate Identifier 2004-NE-24-AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify it.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA

personnel concerning this AD. Using the search function of the DMS web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://dms.dot.gov>.

We are reviewing the writing style we currently use in regulatory documents. We are interested in your comments on whether the style of this document is clear, and your suggestions to improve the clarity of our communications with you. You can get more information about plain language at <http://www.faa.gov/language> and <http://www.plainlanguage.gov>.

Examining the AD Docket

You may examine the docket that contains the AD, any comments received, and any final disposition in person at the DMS Docket Offices between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647-5227) is located on the plaza level of the Department of Transportation Nassif Building at the street address stated in **ADDRESSES**. Comments will be available in the AD docket shortly after the DMS receives them.

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will 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.

For the reasons discussed above, I certify that the regulation:

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.

We prepared a summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary at the address listed under **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety.

Adoption of the Amendment

■ Under 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. The FAA amends § 39.13 by adding the following new airworthiness directive:

2004-16-07. General Electric Company:

Amendment 39-13763. Docket No. FAA-2004-18758; Directorate Identifier 2004-NE-24-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective August 23, 2004.

Affected ADs

(b) None.

Applicability

(c) This AD applies to General Electric Company (GE) CT7-2D1 turboshaft engines with turbine stage 2 aft cooling plates, part number (P/N) 6064T07P02, and serial numbers (SN) starting with GFFN****, GFFP****, GFFR0*** through GFFR7***, GFFR81** through GFFR89**, GFFR8A** through GFFR8G**, GFFR8H92 through GFFR8H99, and GFFR8H9A through GFFR8H9N installed. Asterisks represent any subsequent number or letter that follow the root SN. These engines are installed on, but not limited to, Sikorsky S-70 helicopters.

Unsafe Condition

(d) This AD results from an uncontained failure of a turbine stage 2 aft cooling plate in a GE CT7 turboprop engine. We are issuing this AD to prevent a similar uncontained failure of turbine stage 2 aft cooling plates in GE CT7-2D1 turboshaft engines.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified unless the actions have already been done.

Cooling Plate Removal

(f) At the next disassembly of the gas generator turbine rotor assembly at an FAA-approved overhaul facility, but not later than 5,000 cycles-since-new, replace any turbine stage 2 aft cooling plate, P/N 6064T07P02, with SNs starting with GFFN****, GFFP****, GFFR0*** through GFFR7***, GFFR81** through GFFR89**, GFFR8A** through GFFR8G**, GFFR8H92 through GFFR8H99, and GFFR8H9A through GFFR8H9N, with a cooling plate that does not have a SN specified in this AD.

(g) After the effective date of this AD, do not install stage 2 aft cooling plate, P/N

6064T07P02, SNS GFFN****, GFFP****, GFFR0*** through GFFR7***, GFFR81** through GFFR89**, GFFR8A** through GFFR8G**, GFFR8H92 through GFFR8H99, and GFFR8H9A through GFFR8H9N into any engine.

Material Incorporated by Reference

(h) None.

Related Information

(i) GE CT7-TS Alert Service Bulletin 72-A0032, dated June 11, 2003, provides additional information regarding the disassembly of the gas generator turbine rotor assembly.

Issued in Burlington, Massachusetts, on July 29, 2004.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 04-17755 Filed 8-5-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 1

[Docket No. 2003D-0545]

Guidance for Industry: Questions and Answers Regarding the Interim Final Rule on Registration of Food Facilities (Edition 4); Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability of guidance.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a revised guidance entitled "Questions and Answers Regarding the Interim Final Rule on Registration of Food Facilities (Edition 4)." The guidance responds to various questions raised about section 305 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (the Bioterrorism Act) and the agency's implementing regulation, which require facilities that manufacture/process, pack, or hold food for consumption in the United States to register with FDA by December 12, 2003.

DATES: Submit written or electronic comments on the agency guidance at any time.

ADDRESSES: You may submit comments, identified by Docket No. 2003D-0545, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Agency Web site: <http://www.fda.gov/dockets/ecomments>.

Follow the instructions for submitting comments on the agency Web site.

- E-mail: fdadockets@oc.fda.gov.

Include Docket No. 2003D-0545 in the subject line of your e-mail message.

- FAX: 301-827-6870.

• Mail/Hand delivery/Courier [For paper, disk, or CD-ROM submissions]: Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

Instructions: All submissions received must include the agency name and Docket No. or Regulatory Information Number (RIN) for this rulemaking. All comments received will be posted without change to <http://www.fda.gov/ohrms/dockets/default/htm>, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Comments" heading of the

SUPPLEMENTARY INFORMATION section of this document.

Docket: For access to the docket to read background documents or comments received, go to <http://www.fda.gov/ohrms/dockets/default/htm> and insert the docket number, found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Melissa S. Scales, Office of Regulations and Policy (HFS-24), Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740, 301-436-1720.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of October 10, 2003 (68 FR 58894), FDA issued an interim final rule to implement section 305 of the Bioterrorism Act. The registration regulation requires facilities that manufacture/process, pack, or hold food (including animal feed) for consumption in the United States to register with FDA by December 12, 2003.

On December 4, 2003, FDA issued the first edition of a guidance entitled "Questions and Answers Regarding the Interim Final Rule on Registration of Food Facilities." The second edition of this guidance was issued on January 12, 2004, and the third edition on February 17, 2004. The guidance announced by this document entitled "Questions and Answers Regarding the Interim Final Rule on Registration of Food Facilities (Edition 4)" is a revision of the February

17, 2004, guidance and responds to additional questions about the interim final rule on registration. The guidance is intended to help the industry better understand and comply with the regulation in 21 CFR part 1, subpart H.

FDA wishes to highlight one issue clarified in the fourth edition of the food facility registration guidance, the appropriate designation of a U.S. agent by a foreign food facility. Since the interim final rule published, several individuals have notified FDA that, although listed in a facility's registration as its U.S. agent, the individual had not agreed to serve as the facility's U.S. agent. Question 14.20 in the fourth edition clarifies how FDA will handle the registration of a facility when the agency is notified that the individual listed as the facility's U.S. agent disagrees with that designation.

FDA is issuing the guidance entitled "Questions and Answers Regarding the Interim Final Rule on Registration of Food Facilities (Edition 4)" as a level 1 guidance. Consistent with FDA's good guidance practices (GGPs) regulation § 10.115 (21 CFR 10.115), the agency will accept comments on this guidance, but it is implementing the guidance immediately, in accordance with § 10.115(g)(2), because the agency has determined that prior public participation is not feasible or appropriate. As noted, the Bioterrorism Act requires covered facilities to be registered with FDA by December 12, 2003. Clarifying the provisions of the interim final rule will facilitate prompt registration by covered facilities and thus, complete implementation of the interim final rule.

As noted in previous notices announcing the availability of guidance for food facility registration, FDA continues to respond to requests for clarification of the registration interim final rule by providing guidance in a question-and-answer format. The agency is maintaining all responses to questions concerning food facility registration in a single document that is periodically updated as the agency responds to additional questions. The following four indicators are employed to help users of the guidance identify revisions: (1) The guidance will be identified as a revision of a previously issued document, (2) the revision date of the guidance will appear on its cover, (3) the edition number of the guidance will be included in its title, and (4) new questions and answers will be identified as such in the body of the guidance.

II. Comments

Interested persons may, at any time, submit written or electronic comments