

PART 150—EXEMPTIONS AND CONTINUED REGULATORY AUTHORITY IN AGREEMENT STATES AND IN OFFSHORE WATERS UNDER SECTION 274

44. The authority citation for part 150 continues to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended, sec. 274, 73 Stat. 688 (42 U.S.C. 2201, 2021); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note). Sections 150.3, 150.15, 150.15a, 150.31, 150.32 also issued under secs. 11e(2), 81, 68 Stat. 923, 935, as amended, secs. 83, 84, 92 Stat. 3033, 3039 (42 U.S.C. 2014e(2), 2111, 2113, 2114). Section 150.14 also issued under sec. 53, 68 Stat. 930, as amended (42 U.S.C. 2073). Section 150.15 also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 150.17a also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 150.30 also issued under sec. 234, 83 Stat. 444 (42 U.S.C. 2282).

45. In § 150.15, paragraph (a)(9) is added to read as follows:

§ 150.15 Persons not exempt.

* * * * *

(a) * * *

(9) The requirements for the protection Safeguards Information in §§ 73.21 and 73.23 of this chapter.

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Dated at Rockville, Maryland this 7th day of February 2005.

For the Nuclear Regulatory Commission,
Annette L. Vietti-Cook,
Secretary of the Commission.

[FR Doc. 05-2665 Filed 2-10-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2004-20006; Directorate Identifier 2004-CE-49-AD]

RIN 2120-AA64

Airworthiness Directives; Pilatus Aircraft Limited Models B4-PC11, B4-PC11A, and B4-PC11AF Sailplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Pilatus Aircraft Limited (Pilatus) Models B4-PC11, B4-PC11A, and B4-PC11AF sailplanes. This proposed AD would require you to repetitively inspect the control-column support for cracks and,

if any cracks are found, replace the control-column support with a new support. This proposed AD results from mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Switzerland. We are issuing this proposed AD to detect and correct cracks in the control-column support, which could result in failure of the support. This failure could lead to loss of the primary flight control system.

DATES: We must receive any comments on this proposed AD by March 18, 2005.

ADDRESSES: Use one of the following 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> 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 20590-001.

- **Fax:** 1-202-493-2251.

- **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.

To get the service information identified in this proposed AD, contact Pilatus Aircraft Ltd., Customer Liaison Manager, CH-6371 Stans, Switzerland; telephone: +41 41 619 6208; facsimile: +41 41 619 7311; e-mail: fodermatt@pilatus-aircraft.com or from Pilatus Business Aircraft Ltd., Product Support Department, 11755 Airport Way, Broomfield, Colorado 80021; telephone: (303) 465-9099; facsimile: (303) 465-6040.

To view the comments to this proposed AD, go to <http://dms.dot.gov>. This is docket number FAA-2004-20006.

FOR FURTHER INFORMATION CONTACT:

Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4059; facsimile: (816) 329-4090.

SUPPLEMENTARY INFORMATION:

Comments Invited

How do I comment on this proposed AD? We invite you to submit any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include the docket number, "FAA-2004-20006; Directorate Identifier 2004-CE-49-AD" at the

beginning of your comments. 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 proposed rulemaking. Using the search function of our docket Web site, anyone can find and read the comments received into 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.). This is docket number FAA-2004-20006. 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>.

Are there any specific portions of this proposed AD I should pay attention to? We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. If you contact us through a nonwritten communication and that contact relates to a substantive part of this proposed AD, we will summarize the contact and place the summary in the docket. We will consider all comments received by the closing date and may amend this proposed AD in light of those comments and contacts.

Docket Information

Where can I go to view the docket information? You may view the AD docket that contains the proposal, any comments received, and any final disposition in person at the DMS Docket Offices between 9 a.m. and 5 p.m. (eastern standard time), Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5227) is located on the plaza level of the Department of Transportation Nassif Building at the street address stated in **ADDRESSES**. You may also view the AD docket on the Internet at <http://dms.dot.gov>. The comments will be available in the AD docket shortly after the DMS receives them.

Discussion

What events have caused this proposed AD? The Federal Office for Civil Aviation (FOCA), which is the airworthiness authority for Switzerland, recently notified FAA that an unsafe condition may exist on all Pilatus Aircraft Limited (Pilatus) Models B4-PC11, B4-PC11A, and B4-PC11AF sailplanes. The FOCA reports nine occurrences of cracks in the support of the control-column (part number (P/N) 112.35.11.072).

What is the potential impact if FAA took no action? Cracks in the control-column support could result in failure and lead to loss of the primary flight control system.

Is there service information that applies to this subject? Pilatus has issued Pilatus Aircraft Ltd. Service Bulletin No. 1005, Revision No. 2, dated April 22, 2004.

What are the provisions of this service information? The service bulletin includes procedures for:

- Inspecting the control-column support (P/N 112.35.11.072) for cracks; and
- Replacing the control-column support if any cracks are found.

What action did the FOCA take? The FOCA classified this service bulletin as mandatory and issued Swiss AD Number HB 2004–491, dated December 23, 2004, to ensure the continued airworthiness of these sailplanes in Switzerland.

Did the FOCA inform the United States under the bilateral airworthiness agreement? These Pilatus Models B4–PC11, B4–PC11A, and B4–PC11AF sailplanes are manufactured in

Switzerland and are type-certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement.

Under this bilateral airworthiness agreement, the FOCA has kept us informed of the situation described above.

FAA’s Determination and Requirements of This Proposed AD

What has FAA decided? We have examined the FOCA’s findings, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since the unsafe condition described previously is likely to exist or develop on other Pilatus Models B4–PC11, B4–PC11A, and B4–PC11AF sailplanes of the same type design that are registered in the United States, we are proposing AD action to detect and correct cracks in the control-column support, which could result in failure of the support. This failure could lead to loss of the primary flight control system.

What would this proposed AD require? This proposed AD would require you to incorporate the actions in the previously-referenced service bulletin.

How does the revision to 14 CFR part 39 affect this proposed AD? On July 10, 2002, we published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs FAA’s AD system. This regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

Costs of Compliance

How many sailplanes would this proposed AD impact? We estimate that this proposed AD affects 32 sailplanes in the U.S. registry.

What would be the cost impact of this proposed AD on owners/operators of the affected sailplanes? We estimate the following costs to do this proposed inspection of the control-column support:

Labor cost	Parts cost	Total cost per sailplane	Total cost on U.S. operators
1 work hour × \$65 per hour = \$65	Not applicable	\$65	32 × \$65 = \$2,080.

We estimate the following costs to do any necessary replacements that would be required based on the results of this

proposed inspection. We have no way of determining the number of sailplanes

that may need this replacement of the control-column support:

Labor cost	Parts cost	Total cost per sailplane
5 work hours × \$65 per hour = \$325	\$250	\$575

Authority for This Rulemaking

What authority does FAA have for issuing this rulemaking action? Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, “General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority

because it addresses an unsafe condition that is likely to exist or develop on products identified in this AD.

Regulatory Findings

Would this proposed AD impact various entities? We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD 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.

Would this proposed AD involve a significant rule or regulatory action? For the reasons discussed above, I certify that this proposed AD:

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 proposed AD and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under **ADDRESSES**. Include “AD Docket FAA–2004–20006; Directorate Identifier 2004–CE–49–AD” in your request.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 (AD):

Pilatus Aircraft Limited: Docket No. FAA–2004–20006; Directorate Identifier 2004–CE–49–AD

When Is the Last Date I Can Submit Comments on This Proposed AD?

(a) We must receive comments on this proposed airworthiness directive (AD) by March 18, 2005.

What Other ADs Are Affected By This Action?

(b) None.

What Sailplanes Are Affected by This AD?

(c) This AD affects Models B4–PC11, B4–PC11A, and B4–PC11AF sailplanes, all serial numbers, that are certificated in any category.

What Is the Unsafe Condition Presented in This AD?

(d) This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Switzerland. The actions specified in this AD are intended to detect and correct cracks in the control-column support, which could result in failure of the support. This failure could lead to loss of the primary flight control system.

What Must I Do To Address This Problem?

(e) To address this problem, you must do the following:

Actions	Compliance	Procedures
(1) Inspect the control-column support (part number (P/N) 112.35.11.072) for cracks.	Within 12 calendar months after the last inspection under Pilatus Aircraft Ltd. Service Bulletin No. 1005, Revision No. 1, dated April 9, 2003, or Pilatus Aircraft Ltd. Service Bulletin No. 1005, Revision No. 2, dated April 22, 2004, where no cracks were found or within the next 30 days after the effective date of this AD, whichever occurs later, unless already done. Repetitively inspect thereafter at intervals not to exceed every 12 calendar months regardless of whether the control-column support was replaced.	Follow Pilatus Aircraft Ltd. Service Bulletin No. 1005, Revision No. 2, dated April 22, 2004.
(2) If any cracks are found after the inspection required by paragraph (e)(1) of this AD, replace the control-column support (P/N 112.35.11.072) with a new control-column support (P/N 112.35.11.072).	Before further flight after the inspection required by paragraph (e)(1) of this AD where you found the crack. Continue the repetitive inspections required by paragraph (e)(1) of this AD.	Follow Pilatus Aircraft Ltd. Service Bulletin No. 1005, Revision No. 2, dated April 22, 2004.

May I Request an Alternative Method of Compliance?

(f) You may request a different method of compliance or a different compliance time for this AD by following the procedures in 14 CFR 39.19. Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the Manager, Standards Office, Small Airplane Directorate, FAA. For information on any already approved alternative methods of compliance, contact Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; facsimile: (816) 329–4090.

May I Obtain a Special Flight Permit for the Initial Inspection Requirement of This AD?

(g) No. Special flight permits are not allowed for this AD.

Is There Other Information That Relates to This Subject?

(h) Swiss AD Number HB 2004–491, dated December 23, 2004, also addresses the subject of this AD.

May I Get Copies of the Documents Referenced in This AD?

(i) To get copies of the documents referenced in this AD, contact Pilatus Aircraft

Ltd., Customer Liaison Manager, CH–6371 Stans, Switzerland; telephone: +41 41 619 6208; facsimile: +41 41 619 7311; email: fodermatt@pilatus-aircraft.com or from Pilatus Business Aircraft Ltd., Product Support Department, 11755 Airport Way, Broomfield, Colorado 80021; telephone: (303) 465–9099; facsimile: (303) 465–6040. To view the AD docket, go to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC, or on the Internet at <http://dms.dot.gov>. This is docket number FAA–2004–20006.

Issued in Kansas City, Missouri, on February 7, 2005.

David R. Showers,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05–2696 Filed 2–10–05; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 05–74; MB Docket No. 05–17, RM–11113, RM–11114]

Radio Broadcasting Services; Connersville, IN, Erlanger, KY, Lebanon, KY, Lebanon Junction, KY, Madison, IN, Richmond, IN, New Haven, KY, Norwood, OH, and Springfield, KY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Audio Division requests comment on two petitions that are mutually exclusive filed by Rodgers Broadcasting Corporation, licensee of Station WIFE(FM), Channel 262B at Connersville, Indiana; and jointly filed by Washington County CBC, Inc., licensee of Station WAKY–FM, Channel 274A, Springfield, Kentucky, Elizabethtown CBC, Inc., licensee of Station WTHX(FM), Channel 297A, Lebanon Junction, Kentucky and CBC of