

TABLE 1.—APPLICABILITY

Airplane model	Propeller model	Engine model
Fairchild SA226-TC .....	HC-B3TN-5()/T10282() .....	Garrett TPE331-10UA-511G
Fairchild SA226-AT .....		
Fairchild SA226-T .....		

(d) For reference, airplanes incorporating Supplemental Type Certificates (STCs) SA344GL-D, SA4872SW, and SA345GL-D have these engine, propeller, and airplane combinations.

(e) The parentheses appearing in the propeller model number indicates the presence or absence of an additional letter(s) that varies the basic propeller model. This AD still applies regardless of whether these letters are present or absent in the propeller model designation.

#### Unsafe Condition

(f) This AD results from a review of all currently effective ADs. That review determined that Priority Letter AD 88-24-15 was not published in the **Federal Register** to make it effective to all operators, as opposed to just the operators who received actual notice of the original Priority Letter AD. This AD also results from the discovery that the original AD omitted an airplane model with a certain STC from the applicability. We are issuing this AD to prevent possible blade failure near the hub which can result in blade separation, engine separation, damage to the airplane, and possible loss of the airplane.

#### Compliance

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

#### Required Actions

(h) Within 10 hours time-in-service (TIS) after the effective date of this AD, perform a document search to determine if the following actions have been done:

(1) The propeller blades meet the initial and repetitive compliance requirements of Priority Letter AD 88-24-15.

(2) The P/N T10282() propeller blades have been replaced with P/N T10282N(), T10282NB(), T10282NK(), or T10282NE() propeller blades.

(i) If the actions in paragraph (h)(1) or (h)(2) of this AD have not been done, then do one of the following:

(1) Inspect the blades using Paragraph 3 of the Accomplishment Instructions of Hartzell Service Bulletin (SB) No. 136, Revision Letter "I," dated April 25, 2003, within 500 hours time-since-new (TSN) or time-since-last-overhaul (TSLO) and not to exceed two years after the effective date of this AD, whichever occurs first; and thereafter within 500 service-hour intervals; or

(2) Replace with P/N T10282N(), T10282NB(), T10282NK(), or T10282NE() propeller blades as applicable, within 500 hours TSN or TSLO and not to exceed two years after the effective date of this AD, whichever occurs first.

(j) If the actions in paragraph (h)(1) of this AD have been done, but not the actions in

paragraph (h)(2) of this AD, then do the following:

(1) Inspect the blades within 500 hours since the last Hartzell SB No. 136E, or later Revision, inspection, and thereafter within 500 service hour intervals, using Paragraph 3 of the Accomplishment Instructions of Hartzell SB No. 136, Revision Letter "I," dated April 25, 2003.

(2) Replace before further flight all blades showing evidence of cracks or other unairworthy conditions, as noted in Hartzell SB No. 136, Revision Letter "I," dated April 25, 2003, with airworthy blades.

#### Hartzell SB No. 136

(k) Since Hartzell SB No. 136E was issued, the SB has been revised to 136F, 136G, 136H, and 136I. Any of these revisions are suitable for determining past compliance, as they are all approved as alternative methods of compliance (AMOC). After the effective date of this AD, compliance is restricted to SB No. 136, Revision Letter "I," or later versions when approved by an AMOC.

#### Optional Terminating Action

(l) Installation of propeller blades, P/N T10282N(), T10282NB(), T10282NK(), or T10282NE() as applicable, onto a Hartzell Propeller Inc. model HC-B3TN-5() propeller constitutes terminating action to the inspections, repairs, and replacements specified in paragraphs (i) through (j)(2) of this AD.

#### Alternative Methods of Compliance

(m) The Manager, Chicago Aircraft Certification Office, has the authority to approve alternate methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

#### Material Incorporated by Reference

(n) You must use Hartzell SB No. 136 (HC-SB-61-136), Revision Letter "I," dated April 25, 2003, to perform the inspections required by this AD. The Director of the Federal Register approved the incorporation by reference of this service bulletin in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You can get a copy from Hartzell Propeller Inc. Technical Publications Department, One Propeller Place, Piqua, OH 45356; telephone (937) 778-4200; fax (937) 778-4391. You can review copies at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

#### Related Information

(o) None.

Issued in Burlington, Massachusetts, on February 11, 2005.

**Jay J. Pardee,**

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

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## DEPARTMENT OF HOMELAND SECURITY

### Customs and Border Protection

#### 19 CFR Part 162

[CBP Dec. 05-02]

RIN 1651-AA48

#### Publication of Administrative Forfeiture Notices

**AGENCY:** Bureau of Customs and Border Protection, Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** This document adopts as a final rule, a proposed amendment to the Bureau of Customs and Border Protection (CBP) Regulations published in the **Federal Register** on January 14, 2004, to raise the threshold value of seized property for which CBP must publish a forfeiture notice in a newspaper from \$2,500 to \$5,000. By changing the requirements for publication of administrative forfeiture notices, the amendment significantly reduces the publication costs incurred by CBP, which have often exceeded the value of seized property.

**EFFECTIVE DATE:** March 24, 2005.

**FOR FURTHER INFORMATION CONTACT:** Ricardo Scheller, Seizures & Penalties Branch, (202) 344-1095.

#### SUPPLEMENTARY INFORMATION:

#### Background

Section 162.45 of the Customs and Border Protection (CBP) Regulations (19 CFR 162.45) sets forth the procedure that CBP must follow when it seizes and gives notice of intent to forfeit property under administrative forfeiture proceedings, as required by section 607 of the Tariff Act of 1930, as amended (19 U.S.C. 1607). The statutory language

allows for administrative forfeiture when CBP seizes (1) a prohibited importation; (2) a transporting conveyance if used to import, export, transport or store a controlled substance or listed chemical; (3) any monetary instrument within the meaning of 31 U.S.C. 5312(a)(3); or (4) any conveyance, merchandise or baggage for which its value does not exceed \$500,000.

Specifically, § 162.45(b), CBP Regulations, addresses publication of notices under administrative forfeiture proceedings. If the value of seized property exceeds \$2,500, current paragraph (b)(1) requires publication of administrative forfeiture notices in a newspaper circulated at the Customs port and in the judicial district where the seizure occurred. All known parties-in-interest are notified of the newspaper and expected dates of publication of the notice.

When the value of the seized property does not exceed \$2,500, current paragraph (b)(2) of § 162.45 allows CBP to publish a notice of seizure and intent to forfeit by posting it in a conspicuous place accessible to the public at the customhouse nearest the place of seizure.

#### Proposal

On January 14, 2004, CBP published a document in the **Federal Register** (69 FR 2093) proposing to amend the CBP Regulations by changing the requirements for publication of administrative forfeiture notices in § 162.45(b)(1) by raising the value threshold of property for which CBP must publish an administrative forfeiture notice in a newspaper from \$2,500 to \$5,000.

Consequently, the applicability of paragraph (b)(2) would be automatically expanded to seizures of property valued at \$5,000 or under, allowing CBP to publish the notice by posting it in a conspicuous place accessible to the public at the customhouse nearest the place of seizure.

CBP had last changed the regulation in 1985, when it increased the dollar threshold from \$250 to \$2,500. Since then, inflation has often caused the costs of publication in large metropolitan areas to exceed \$2,500. Thus, in many cases the publication costs can be prohibitive when compared to the value of the property advertised.

#### Adoption of Proposal as Final Rule

Comments on the proposed amendment to the CBP Regulations were solicited. No comments were received during the public comment period, which closed on March 15, 2004. Upon further consideration of the

matter, CBP has determined to adopt the proposal as published on January 14, 2004.

#### Regulatory Flexibility Act and Executive Order 12866

The amendment is changing the dollar value threshold governing only the form of public notice, not its substance. Accordingly, CBP certifies that the amendment will not have a significant economic impact on a substantial number of small entities, pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Accordingly, it is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

For the same reasons, this document does not meet the criteria for a "significant regulatory action" as specified in E.O. 12866.

#### Drafting Information

The principal author of this document is Mr. Fernando Peña, Office of Regulations and Rulings, Customs and Border Protection. However, personnel from other Bureau offices participated in its development.

#### Signing Authority

This regulation is being issued by CBP in accordance with 19 CFR 0.1(b)(1).

#### List of Subjects in 19 CFR Part 162

Administrative practice and procedure, Customs duties and inspection, Drug traffic control, Exports, Imports, Inspection, Law enforcement, Penalties, Prohibited merchandise, Restricted merchandise, Reporting and recordkeeping requirements, Search warrants, Seizures and forfeitures.

#### Amendment to the Regulations

- For the reasons stated above, part 162 of the CBP Regulations (19 CFR part 162) is amended as follows.

#### PART 162—INSPECTION, SEARCH, AND SEIZURE

- 1. The general authority citation for part 162 and the specific authority citation for § 162.45 continues to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1592, 1593a, 1624.

\* \* \* \* \*

Section § 162.45 also issued under 19 U.S.C. 1607, 1608;

\* \* \* \* \*

- 2. The first sentence of paragraph (b)(1) of § 162.45 is amended by removing the monetary amount "\$2,500" and adding "\$5,000" in its place.

Approved: February 16, 2005.

**Robert C. Bonner,**

*Commissioner, Customs and Border Protection.*

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#### INTERNATIONAL TRADE COMMISSION

##### 19 CFR Parts 206 and 207

#### Investigations Relating to Global and Bilateral Safeguard Actions, Market Disruption, Trade Diversion and Review of Relief Actions; and Investigations of Whether Injury to Domestic Industries Results From Imports Sold at Less Than Fair Value or From Subsidized Exports to the United States

**AGENCY:** International Trade Commission.

**ACTION:** Notice of final rulemaking.

**SUMMARY:** The United States International Trade Commission (Commission) hereby amends its Rules of Practice and Procedure (Rules) regarding antidumping and countervailing duty (AD/CVD) investigations as well as certain safeguard and market disruption proceedings. Under the amended Rules, parties are required to file prehearing briefs no later than five business days before the hearing, and they must file *in camera* requests no later than seven business days prior to the hearing. Such *in camera* requests and any comments to those requests must be served by hand-delivery or next-day service. Further, petitions filed after 12 noon will be deemed to be filed the following business day. The amended Rules no longer require clerical or other staff to file an administrative protective order (APO) application with the Commission; however, they must sign a form maintained by an authorized APO applicant. Finally, parties must file new APO applications in NAFTA appeals.

**DATES:** The effective date of these amendments is March 24, 2005.

**FOR FURTHER INFORMATION CONTACT:** Marilyn R. Abbott, Secretary, United States International Trade Commission, telephone 202-205-2000. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>).

**SUPPLEMENTARY INFORMATION:**