

§ 39.13 [Amended]

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

Rolls-Royce Corporation (formerly Allison Engine Company): Docket No. FAA-2005-20742; Directorate Identifier 2005-NE-03-AD.

Comments Due Date

(a) The Federal Aviation Administration (FAA) must receive comments on this airworthiness directive (AD) action by May 31, 2005.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Rolls-Royce Corporation (RRC) (formerly Allison Engine Company) 501-D22A, 501-D22C, and 501-D22G turboprop engines with the turbine wheels listed in the following Table 1, installed.

TABLE 1.—AFFECTED TURBINE WHEELS

Turbine wheel part No.	Turbine wheel	Serial Nos.
6875431	1st Stage	KK50152 through KK50199.
6845592	2nd Stage	KK40998 through KK41057.
6845593	3rd Stage	KK36452 through KK36461, and KK36492 through KK36532.
6870434	4th Stage	KK40320 through KK40393, and KK40485 through KK40535.

These engines are installed on, but not limited to, Commercial Hercules L-100-20, L-100-30, L-382B, L-382E, and L-382G, Airbus Super Guppy-201, and Super Convair CV-580A, and CV5800 airplanes.

Unsafe Condition

(d) This AD results from a report of a turbine wheel found to be over dimensional limits, caused by improper metal hardness. We are issuing this AD to prevent uncontained turbine wheel failure, leading to damage of the airplane and total loss of engine power.

Compliance

(e) You are responsible for having the actions required by this AD performed at the next shop visit of the engine or turbine module, but not to exceed 7,400 cycles-since-new of any 1st stage, 2nd stage, 3rd stage, or 4th stage turbine wheel, unless the actions have already been done.

Onetime Inspection for Proper Metal Hardness

(f) Perform a onetime inspection for proper metal hardness of 1st stage, 2nd stage, 3rd stage, and 4th stage turbine wheels. Use paragraphs 2.B. and 2.F. of RRC Commercial Engine Bulletins (CEBs) No. CEB-72-1138, No. CEB-72-4051, and No. CEB-72-1584, (combined in one document) dated January 23, 2004.

(g) Remove from service any turbine wheel that does not pass inspection, using paragraph 2.C. of RRC CEBs No. CEB-72-1138, No. CEB-72-4051, and No. CEB-72-1584, (combined in one document) dated January 23, 2004.

(h) Mark the letters, HC, after the serial number on any turbine wheel that passes inspection, using the method described in paragraph 2.D. of RRC CEBs No. CEB-72-1138, No. CEB-72-4051, and No. CEB-72-1584, (combined in one document) dated January 23, 2004.

Reporting Requirements

(i) Report findings of inspections using the procedures specified in paragraph 2.E. of RRC CEBs No. CEB-72-1138, No. CEB-72-4051, and No. CEB-72-1584, (combined in one document) dated January 23, 2004. The Office of Management and Budget (OMB) has approved the reporting requirements

specified in paragraph 2.E. of RRC CEBs No. CEB-72-1138, No. CEB-72-4051, and No. CEB-72-1584, (combined in one document) dated January 23, 2004, and assigned OMB control number 2120-0056.

Definition

(j) For the purpose of this AD, a serviceable turbine wheel is:

- (1) A turbine wheel that has a serial number not listed in this AD; and
- (2) A turbine wheel that has a serial number listed in this AD that passed the inspection specified in paragraph (f) of this AD.

Alternative Methods of Compliance

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

Related Information

(1) None.

Issued in Burlington, Massachusetts, on March 22, 2005.

Peter A. White,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.
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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[CGD13-05-004]

RIN 1625-AA08

Special Local Regulations; National Maritime Week Tugboat Races, Seattle, WA

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to permanently amend the special local

regulation governing general navigation and anchorage in the vicinity of the Annual National Maritime Week Tugboat Races, Seattle, Washington. Changes made to this regulation will clarify its annual enforcement date. This change is intended to better inform the boating public and to improve the level of safety at this event. Entry into the area established is prohibited unless authorized by the Captain of the Port.

DATES: Comments and related material must reach the Coast Guard on or before April 19, 2005.

ADDRESSES: You may mail comments and related material to Commanding Officer(wwm), Marine Safety Office Puget Sound, 1519 Alaskan Way South, Seattle, Washington 98134. Marine Safety Office Puget Sound maintains the public docket [CGD13-05-004] for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at Marine Safety Office Puget Sound between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LTJG J. L. Hagen, c/o Captain of the Port Puget Sound, 1519 Alaskan Way South, Seattle, WA 98134, (206) 217-6002 or (800) 688-6664.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD13-05-004), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound

format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Marine Safety Office Puget Sound at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

Each year in May, the Annual National Maritime Week Tugboat Races, are held on the waters of Puget Sound in Elliott Bay near Seattle, Washington. Special local regulations in 33 CFR 100.1306 are enforced each year during the event to provide for public safety by controlling the movement of spectators and participants in the area of the race course.

This proposed rule would permanently amend 33 CFR 100.1306 requiring compliance with the regulation each year on either the second or third Saturday in May. Specific times of compliance will be published in the **Federal Register** each year as a notice of enforcement.

The regulated area and the special local regulations remain unchanged.

Discussion of Proposed Rule

The Coast Guard proposes to permanently amend 33 CFR 100.1306—Annual National Maritime Week Tugboat Races, Seattle, Washington, to require compliance with the regulation each year in May on the second or third Saturday.

Regulatory Evaluation

This rule is not a “significant regulatory action” under section 3(f) of Executive Order 12866 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 Homeland Security (DHS).

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. This expectation is

based on the fact that the regulated area of Elliott Bay is a small area, enforced for a short period of time, and it is established for the benefit and safety of the recreational boating public.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have 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.

Vessels desiring to transit this area of Elliott Bay may do so by scheduling their trips in the early morning or evening when the restrictions on general navigation imposed by this section will not be in effect. For these reasons, the Coast Guard certifies under 5 U.S.C. 605(b) that this change will not have a significant economic impact on a substantial number of small entities.

Therefore, 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. Comments submitted in response to this finding will be evaluated under the criteria in the “Regulatory Information” section of this preamble.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule will affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

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 the rule 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 effect 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 does not create an environmental risk to health or risk to safety that may 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. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2-1, paragraph (34)(h) of the Instruction from further environmental documentation. Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; Department of Homeland Security Delegation No. 0170.1.

2. In § 100.1306 revise paragraph (c) to read as follows:

§ 100.1306 National Maritime Week Tugboat Races, Seattle, WA.

* * * * *

(c) *Enforcement dates.* This section is enforced annually on the second or third Saturday in May from 12 p.m. to 4:30 p.m. The event will be one day only and the specific date will be published each year in the **Federal Register**. In 2005, this section will be enforced from 12 p.m. to 4:30 p.m. on Saturday May 14.

Dated: March 21, 2005.

J.M. Garrett,

Rear Admiral, U.S. Coast Guard, Commander, Thirteenth Coast Guard District.

[FR Doc. 05-6145 Filed 3-28-05; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[CGD05-05-020]

RIN 1625-AA08

Special Local Regulations for Marine Events; Piankatank River, Gloucester County, VA

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish special local regulations during the "2005 Piankatank River Race", a marine event to be held over the waters of the Piankatank River in Gloucester County, Virginia. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in the Piankatank River during the event.

DATES: Comments and related material must reach the Coast Guard on or before April 28, 2005.

ADDRESSES: You may mail comments and related material to Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, hand-deliver them to Room 119 at the same address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays, or fax them to (757) 398-6203. The Auxiliary and Recreational Boating Safety Branch, Fifth Coast Guard District, maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the above address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Dennis Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD05-05-020), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know how they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the address listed under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

On July 23, 2005, the East Coast Boat Racing Club of New Jersey will sponsor the "2005 Piankatank River Race", on the waters of the Piankatank River in