

(f) In the event that the easement holder fails to enforce the terms of the easement, as determined in the discretion of the Secretary, the Secretary, his or her successors and assigns, shall have the right to enforce the terms of this easement through any and all authorities available under Federal or State law or, at the option of the Secretary, to have all right, title, or interest in this easement revert to the United States of America. Further, in the event the easement holder dissolves or attempts to terminate the easement, then all right, title, and interest shall revert to the United States of America.

(g) Should this easement be transferred pursuant to this section, all warranties and indemnifications provided for in this Deed shall continue to apply to the United States. Subsequent to the transfer of this easement, the easement holder shall be responsible for conservation planning and implementation and will adhere to the NRCS Field Office Technical Guide for maintaining the viability of grassland and other conservation values.

(h) Due to the Federal interest in the GRP easement, the easement interest cannot be condemned.

#### § 1415.18 Appeals.

(a) Applicants or participants may appeal decisions regarding this program in accordance with part 7 CFR part 614, 11, and 780 of this Title.

(b) Before a person may seek judicial review of any action taken under this part, the person must exhaust all administrative appeal procedures set forth in paragraph (a) of this section.

#### § 1415.19 Scheme or device.

(a) If it is determined by the Department that a participant has employed a scheme or device to defeat the purposes of this part, any part of any program payment otherwise due or paid such participant during the applicable period may be withheld or be required to be refunded with interest thereon, as determined appropriate by the Department.

(b) A scheme or device includes, but is not limited to, coercion, fraud, misrepresentation, depriving any other person of payments for cost-share practices or easements for the purpose of obtaining a payment to which a person would otherwise not be entitled.

(c) A participant who succeeds to the responsibilities under this part shall report in writing to the Department any interest of any kind in enrolled land that is held by a predecessor or any lender. A failure of full disclosure will be considered a scheme or device under this section.

#### § 1415.20 Confidentiality.

The release of appraisal information shall be disclosed at the discretion of USDA in accordance with applicable law.

Signed in Washington, DC on February 21, 2006.

**Bruce I. Knight,**

*Vice President, Commodity Credit Corporation, and Chief, Natural Resources Conservation Service.*

**Teresa C. Lasseter,**

*Executive Vice President, Commodity Credit Corporation, and Administrator, Farm Service Agency.*

[FR Doc. 06-2091 Filed 3-3-06; 8:45 am]

**BILLING CODE 3410-16-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2005-20856; Directorate Identifier 2004-NE-25-AD; Amendment 39-14502; AD 2006-05-05]

**RIN 2120-AA64**

#### Airworthiness Directives; MT-Propeller Entwicklung GmbH Propellers

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain MT-Propeller Entwicklung GmbH variable pitch and fixed pitch propellers with serial numbers (SNs) below 95000, which have not been overhauled since April 1994. This AD requires overhauling the propeller blades of these propellers within 30 days after the effective date of the AD. This AD also requires performing initial and repetitive visual inspections of affected propeller blades. This AD also requires removing all propeller blades from service with damaged erosion sheath bonding or loose erosion sheaths and installing any missing or damaged polyurethane protective strips. This AD results from reports of stainless steel leading edge erosion sheaths separating from propeller blades and reports of propeller blades with damaged or missing polyurethane protective strips (PU-protection tape) due to insufficient inspection procedures in older MT-Propeller Entwicklung GmbH Operation & Installation Manuals. We are issuing this AD to prevent erosion sheath separation leading to damage of the airplane.

**DATES:** This AD becomes effective April 10, 2006.

**ADDRESSES:** You can get the service information identified in this AD from MT-Propeller USA, Inc., 1180 Airport Terminal Drive, Deland, FL 32724; telephone (386) 736-7762, fax (386) 736-7696 or visit <http://www.mt-propeller.com>.

You may examine the AD docket on the Internet at <http://dms.dot.gov> or in Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Frank Walsh, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7158, fax (781) 238-7170.

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 with a proposed AD. The proposed AD applies to certain MT-Propeller Entwicklung GmbH variable pitch and fixed pitch propellers with serial numbers (SNs) below 95000, which have not been overhauled since April 1994. We published the proposed AD in the **Federal Register** on April 6, 2005 (70 FR 17359). That action proposed to require overhaul of the propeller blades on these propellers by December 31, 2005. That action also proposed to require performing initial and repetitive visual inspections of those propeller blades. That action also proposed to require removing all propeller blades from service with damaged erosion sheath bonding or loose erosion sheaths and to install any missing or damaged polyurethane protective strips.

#### Examining the AD Docket

You may examine the docket that contains the AD, any comments received, and any final disposition in person at the Docket Management Facility Docket Office 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.

#### Comments

We provided the public the opportunity to participate in the development of this AD. We received no comments on the proposal or on the determination of the cost to the public.

**Changes to Blade Overhaul Paragraph**

Although paragraph (j) of the proposed AD states to overhaul all affected blades by December 31, 2005, for clarification, we changed that paragraph in this AD to read "Overhaul all propeller blades of propellers listed in the applicability, within 30 days after the effective date of the AD". We also changed the codification and moved this paragraph to paragraph (f).

**Conclusion**

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD with the change described previously.

**Costs of Compliance**

We estimate that 103 of these MT-Propeller Entwicklung GmbH variable pitch and fixed pitch propellers installed on aircraft of U.S. registry will be affected by this AD. We also estimate that it will take about 2 work hours to inspect and install the polyurethane protective strip of each affected propeller and 4 work hours to remove each affected propeller, and that the average labor rate is \$65 per work hour. Required parts to inspect and install the polyurethane protective strip of each affected propeller will cost about \$20. We estimate that 10% (20) of the propellers will require blade overhaul, at an average cost of \$1,500 per propeller. Based on these figures, we estimate the total cost of the AD to U.S. operators to be \$45,780.

**Authority for This Rulemaking**

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 rulemaking action.

**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 this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866;
- (2) Is not a "significant rule" under 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, Safety.

**Adoption of the Amendment**

■ Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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:

**2006-05-05 MT-Propeller Entwicklung GmbH:** Amendment 39-14502. Docket No. FAA-2005-20856; Directorate Identifier. 2004-NE-25-AD.

**Effective Date**

- (a) This airworthiness directive (AD) becomes effective April 10, 2006.

**Affected ADs**

- (b) None.

**Applicability**

(c) This AD applies to MT-Propeller Entwicklung GmbH, models MT, MTV-1, MTV-2, MTV-3, MTV-5, MTV-6, MTV-7, MTV-9, MTV-10, MTV-11, MTV-12, MTV-14, MTV-15, MTV-17, MTV-18, MTV-20, MTV-21, MTV-22, MTV-24, and MTV-25 propellers with serial numbers (SNs) below 95000, which have not been overhauled since April 1994. These propellers may be installed on but not limited to, Sukhoi SU-26, SU-29, SU-31; Yakovlev YAK-52, YAK-54, YAK-55; and Technoavia SM-92 airplanes.

**Unsafe Condition**

(d) This AD results from reports of stainless steel leading edge erosion sheaths separating from propeller blades and reports of propeller blades with damaged or missing polyurethane protective strips (PU-protection tape) due to insufficient inspection procedures in older MT-Propeller Entwicklung GmbH Operation & Installation Manuals. We are issuing this AD to prevent erosion sheath separation leading to damage of the airplane.

**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.

**Note 1:** Information about inspection procedures and acceptable limits can be found in Table 1 of this AD.

**Overhaul of Propeller Blades**

(f) Overhaul all propeller blades of propellers listed in the applicability, within 30 days after the effective date of this AD.

**Initial Visual Inspection of the Propeller Blade**

(g) During the next preflight inspection or 100-hour inspection, whichever occurs first, after the effective date of this AD, inspect all MT and MTV propellers by doing the following:

- (1) Determine if the erosion sheath of any propeller blade is cracked or loose; and
- (2) Determine if any propeller blade has other damage out of acceptable limits.
- (3) Before the next flight, remove from service those propeller blades with a cracked or loose erosion sheath, or other damage affecting airworthiness.

**TABLE 1.—SERVICE INFORMATION**

For propeller model . . . .	See operation and installation manual . . . .
MT .....	No. E-112, issued Nov. 1993 or later.
MTV-1, MTV-7, MTV-10, MTV-17, MTV-18, MTV-20.	No. E-118, issued March 1994 or later.
MTV-5, MTV-6, MTV-9, MTV-11, MTV-12, MTV-14, MTV-15, MTV-21, MTV-22, MTV-25.	No. E-124, issued March 1994 or later.
MTV-2, MTV-3 .....	No. E-148, issued March 1994 or later.
MTV-24 .....	No. E-309, issued March 1994 or later.

**Initial Visual Inspection of the Propeller Blade Polyurethane Strip**

(h) During the next pilot's preflight inspection after the effective date of this AD, if the polyurethane protective strip on the leading edge of the inner portion of the blade is found to be damaged or missing, the polyurethane protective strip must be replaced or installed within 10-flight hours.

If electrical de-icing boots are installed, no polyurethane protective strips are required.

#### Repetitive Visual Inspection of the Propeller Blade

(i) If after the effective date of this AD, any propeller blade erosion sheath found to be cracked or loose during the pilot's preflight inspection, or 100-hour inspection, or annual inspection, must be repaired, replaced, or overhauled before the next flight.

#### Repetitive Visual Inspection of the Propeller Blade Polyurethane Strip

(j) If after the effective date of this AD, any propeller blade polyurethane protective strip found to be damaged or missing during the pilot's preflight inspection, or 100-hour inspection, or annual inspection, must be replaced or installed within 10-flight hours. If electrical de-icing boots are installed, polyurethane protective strips are not required.

#### Alternative Methods of Compliance

(k) The Manager, Boston 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.

#### Special Flight Permits

(l) Special flight permits are prohibited.

#### Related Information

(m) MT-Propeller Entwicklung GmbH, Service Bulletin No. 8A, dated July 4, 2003, pertains to the subject of this AD. LBA airworthiness directive 1994-098/2, dated September 24, 2003, also addresses the subject of this AD.

Issued in Burlington, Massachusetts, on February 24, 2006.

**Peter A. White,**

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

[FR Doc. 06-1957 Filed 3-3-06; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2006-23605; Directorate Identifier 2005-NE-48-AD; Amendment 39-14500; AD 2006-05-03]

RIN 2120-AA64

#### Airworthiness Directives; Rolls-Royce plc Models RB211 Trent 768-60, Trent 772-60, and Trent 772B-60 Turbofan Engines

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for Rolls-

Royce plc (RR) models RB211 Trent 768-60, Trent 772-60, and Trent 772B-60 turbofan engines. This AD requires initial and repetitive borescope inspections of the high pressure-intermediate pressure (HP-IP) turbine bearing internal oil vent tube, scavenge tube, and tube heat shields for wear and cracking, and removing tubes from service if found with any cracks beyond serviceable limits. This AD also requires installation of a new or modified HP-IP turbine bearings support as terminating action for the repetitive borescope inspections. This AD results from two reports of RR RB211 Trent 700 series engines found with the HP-IP internal oil vent tube and scavenge tube fretted by damaged heat shields on the tubes. We are issuing this AD to prevent oil ejecting from the HP-IP turbine bearings chamber and igniting. Burning oil can cause the intermediate pressure (IP) shaft to fracture, the IP turbine to overspeed, and possible uncontained failure of the engine.

**DATES:** Effective March 27, 2006. The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of March 27, 2006.

We must receive any comments on this AD by May 5, 2006.

**ADDRESSES:** Use one of the following addresses to comment on this 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 20590-0001.

- *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.

Contact Rolls-Royce plc, PO Box 31, Derby, England, DE248BJ; telephone: 011-44-1332-242424; fax: 011-44-1332-245418, for the service information identified in this AD.

#### FOR FURTHER INFORMATION CONTACT:

Christopher Spinney, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7175; fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** The Civil Aviation Authority (CAA), which is the

airworthiness authority for the United Kingdom (UK), recently notified us that an unsafe condition might exist on RR RB211 Trent 768-60, Trent 772-60, and Trent 772B-60 turbofan engines. The CAA advises that two RB211 Trent 700 series engines were removed due to high oil consumption. Investigation revealed that damaged heat shields caused fretting of the HP-IP internal oil vent tube and scavenge tube. A previous service incident revealed that ingestion of HP cooling air into either the scavenge tube or the vent tube can over pressurize the HP-IP turbine bearing chamber. The overpressure can cause oil to eject from the rear of the chamber. If the ejected oil ignites, the fire can trigger fracture of the IP shaft, overspeed of the IP turbine, and uncontained engine failure.

#### Relevant Service Information

We have reviewed and approved the technical contents of RR Alert Service Bulletin RB.211-72-AE792, dated July 8, 2005, that describes procedures for initial and repetitive borescope inspections of the HP-IP turbine bearing internal oil vent tube, scavenge tube, and tube heat shields for wear and cracking. We have also reviewed and approved the technical contents of RR Service Bulletin RB.211-72-E708, Revision 2, dated September 6, 2005, that describes procedures for installing a new or modified HP-IP turbine bearings support. The CAA classified these service bulletins as mandatory and issued AD G-2005-0016 in order to ensure the airworthiness of these RR RB211 Trent 768-60, Trent 772-60, and Trent 772B-60 turbofan engines in the UK.

#### Bilateral Airworthiness Agreement

These RR RB211 Trent 768-60, Trent 772-60, and Trent 772B-60 turbofan engines are manufactured in the UK 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 CAA kept the FAA informed of the situation described above. We have examined the findings of the CAA, 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.

#### FAA's Determination and Requirements of This AD

Although no airplanes that are registered in the United States use these RR RB211 Trent 768-60, Trent 772-60,