Chapter 4, section 04
Technical Publication (IETP) Revision 9,
Manual Revision 17/Interactive Electronic

affected rotating parts at reduced
requirements removing from service these
crew seat P/N and replacement date of the replaced
backrest tubes.

Note 2: Pilatus PC–12 Aircraft Maintenance
Manual Revision 17/Interactive Electronic
Technical Publication (IETP) Revision 9,
Chapter 4, section 04–00–00, references the
crew seat bucket assembly replacements.

Alternative Methods of Compliance
(AMOCs)

(f) The Manager, Standards Office, Small
Airplane Directorate, FAA, ATTN: Doug
Rudolph, Aerospace Engineer, FAA, Small
Airplane Directorate, 901 Locust, Room 301,
Kansas City, Missouri 64106; telephone: (816)
329–4050; fax: (816) 329–4090, has the authority
to approve AMOCs for this AD, if requested
using the procedures found in 14 CFR 39.19.

Related Information

(g) Swiss AD Number HB–2005–470,
Effective Date: December 30, 2005, also
addresses the subject of this AD.

Issued in Kansas City, Missouri, on April
12, 2006.

Kim Smith,
Manager, Small Airplane Directorate, Aircraft
Certification Service.

[FR Doc. 06–3725 Filed 4–18–06; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2006–23705; Directorate
Identifier 2005–NE–45–AD; Amendment 39–
14567; AD 2006–08–10]

RIN 2120–AA64

Airworthiness Directives; General
Electric Company CT64–820–4
Turboprop 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 General
Electric Company (GE) CT64–820–4
turboprop engines with certain part
number (P/N) rotating parts. The parts
are in the compressor rotor assembly,
generator turbine rotor assembly, and
power turbine rotor assembly that are
subject to low-cycle fatigue. This AD
requires removing from service these
affected rotating parts at reduced

compliance times. This AD results from
the manufacturer’s discovery of cracks in
some rotating parts. We are issuing
this AD to prevent cracks in the rotating
parts that could cause compressor and
turbine wheel fracture and uncontained
engine failure. An uncontained engine
failure could cause possible damage to
the airplane.

DATES: This AD becomes effective May
24, 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 GE Aircraft Engines Customer
Support Center, M/D 285, 1 Neumann
Way, Evendale, OH 45215, telephone
(513) 552–3272; fax (513) 552–3239;
email address: GEAE.csc@ae.ge.com, for
the service information identified in this
AD.

FOR FURTHER INFORMATION CONTACT:
Anthony W. Cerro Jr., Aerospace
Engineer, Engine Certification Office,
FAA, and Propeller Directorate,
12 New England Executive Park,
Burlington, MA 01803; telephone
781–238–7128; fax 781–238–7199; e-mail
address: anthony.cerro@faa.gov.

SUPPLEMENTARY INFORMATION: GE has
informed us that cracks have been found in
certain P/N rotating parts. The
manufacturer reported that cracks were
found in the outer rim of a stage 1 aft
cooling plate, P/N 4022T37P01,
installed on the gas generator turbine
(GGT) rotor of a military T64 engine.
They also found cracks in the sawcut
slots of the GGT rear air seals of stage
2 aft cooling plates, P/N 4022T36P01, in
the CT64–820–4 engine model and a
similar military T64 engine model. They
have been at least 13 reports of

cracked GGT rear air seals.

Investigation by the manufacturer
showed that compressor rotor
assemblies, GGT rotor assemblies, and
power turbine rotor assemblies have
small feature locations. A “small
feature” location is any rotating

hardware feature with drawing radii less
than 0.020 inch. Engineering analysis
determined that the small feature
locations and other life-limited
locations of the rotating parts identified
in this action have levels of stress
during engine operation that are higher
than originally anticipated and could
result in cracks on these parts. This
condition, if not corrected, could cause
compressor and turbine wheel fracture
and uncontained engine failure. An
uncontained engine failure could cause
possible damage to the airplane.

FAA’s Determination and Requirements
Of This AD

Although no airplanes registered in
the United States use these engines, the
possibility exists that the engines could
be used on airplanes that are registered
in the United States in the future. The
unsafe condition described previously is
likely to exist or develop on other GE
CT64–820–4 turboprop engines of the
same type design. We are issuing this
AD to prevent cracks in the rotating
parts that could cause compressor and
turbine wheel fracture and uncontained
engine failure. An uncontained engine
failure could cause possible damage to
the airplane. This AD requires removing
from service these affected life-limited
rotating parts at reduced compliance
times.

FAA’s Determination of the Effective
Date

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

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 send us any
written relevant data, views, or
arguments regarding this AD. Send your
comments to an address listed under

ADDRESSES. Include “AD Docket No.
FAA–2006–23705; Directorate
Identifier 2005–NE–45–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.

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 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.

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 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.

Effective Date

(a) This airworthiness directive (AD) becomes effective May 24, 2006.

Affected ADs

(b) None.

Applicability

(c) This AD applies to General Electric engines that use any of the rotating parts listed in Table 1 of this AD. These engines are installed on, but not limited to, DeHavilland DHC–5D Buffalo airplanes.

<table>
<thead>
<tr>
<th>AFFECTED ROTATING PARTS</th>
<th>Part nomenclature</th>
<th>Part No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compressor</td>
<td>Shaft, Front</td>
<td>5007T03P03</td>
</tr>
<tr>
<td></td>
<td>Disk, Stage 1</td>
<td>5015T92P01</td>
</tr>
<tr>
<td></td>
<td>Retainer, Disk, Stage 1</td>
<td>5013T71P01</td>
</tr>
<tr>
<td></td>
<td>Disk, Stage 2</td>
<td>5015T93P01</td>
</tr>
<tr>
<td></td>
<td>Spacer, Disk, Stage 2</td>
<td>5015T94P01</td>
</tr>
<tr>
<td></td>
<td>Disk, Stage 3</td>
<td>5015T95P01</td>
</tr>
<tr>
<td></td>
<td>Spool, Rotor, Front</td>
<td>6003T84P02</td>
</tr>
<tr>
<td></td>
<td>Spool, Rotor, Rear</td>
<td>6005T18P01</td>
</tr>
<tr>
<td></td>
<td>Shaft, Rear</td>
<td>6005T26P01</td>
</tr>
<tr>
<td></td>
<td>Disk and Shaft, Stage 1</td>
<td>6014T70P02</td>
</tr>
<tr>
<td></td>
<td>Disk, Stage 2</td>
<td>4007T83P02</td>
</tr>
<tr>
<td></td>
<td>Ring, Torque</td>
<td>3008T60P02</td>
</tr>
<tr>
<td></td>
<td>Seal, Air, Stage 1</td>
<td>4007T94G02</td>
</tr>
<tr>
<td></td>
<td>Plate, Cooling</td>
<td>3008T52P02</td>
</tr>
<tr>
<td></td>
<td>Plate, Cooling</td>
<td>4022T37P01</td>
</tr>
<tr>
<td></td>
<td>Seal, Interstage</td>
<td>5006T54P02</td>
</tr>
<tr>
<td></td>
<td>Seal, Air, Rear</td>
<td>4022T36P01</td>
</tr>
<tr>
<td></td>
<td>Seal, Air, Rear</td>
<td>4022T36P01</td>
</tr>
<tr>
<td></td>
<td>Disk, Stage 3</td>
<td>4008T65P02</td>
</tr>
<tr>
<td></td>
<td>Disk, Stage 4</td>
<td>5006T16P03</td>
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<tr>
<td></td>
<td>Disk, Stage 4</td>
<td>5006T16P04</td>
</tr>
<tr>
<td></td>
<td>Seal, Interstage</td>
<td>4008T29P01</td>
</tr>
<tr>
<td></td>
<td>Shaft, Main</td>
<td>5009T73P02</td>
</tr>
<tr>
<td></td>
<td>Shaft, Main</td>
<td>6012T83P02</td>
</tr>
<tr>
<td></td>
<td>Tiebolt, Power Turbine Rotor</td>
<td>3008T44P02</td>
</tr>
</tbody>
</table>
Unsafe Condition  
(d) This AD results from the manufacturer’s discovery of cracks in some rotating parts. We are issuing this AD to prevent cracks in the rotating parts that could cause compressor and turbine wheel fracture and uncontained engine failure. An uncontained engine failure could cause possible damage to the airplane.

Definition of “Data Fleet” and “No-Data” Fleet Engines  
(e) For the purposes of this AD, “Data Fleet” is defined as a category of engines for which the engine serial numbers (SNs) are listed in Table 2 of this AD, and the following information has been provided to the manufacturer and included in the data analysis:

1. Current configuration of all life-limited parts.
2. Current cycles of life-limited parts.
3. Engine utilization rate (hours/month).

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.

(f) For the purposes of this AD, “No-Data Fleet” is defined as a category of engines for which the engine SNs are not listed in Table 2 of this AD. The operators of the “No Data Fleet” engines did not supply the data listed in paragraph (e) to the manufacturer.

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.

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.

(f) For the purposes of this AD, “No-Data Fleet” is defined as a category of engines for which the engine SNs are not listed in Table 2 of this AD. The operators of the “No Data Fleet” engines did not supply the data listed in paragraph (e) to the manufacturer.

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.

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.

(f) For the purposes of this AD, “No-Data Fleet” is defined as a category of engines for which the engine SNs are not listed in Table 2 of this AD. The operators of the “No Data Fleet” engines did not supply the data listed in paragraph (e) to the manufacturer.

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.

(f) For the purposes of this AD, “No-Data Fleet” is defined as a category of engines for which the engine SNs are not listed in Table 2 of this AD. The operators of the “No Data Fleet” engines did not supply the data listed in paragraph (e) to the manufacturer.

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.

(f) For the purposes of this AD, “No-Data Fleet” is defined as a category of engines for which the engine SNs are not listed in Table 2 of this AD. The operators of the “No Data Fleet” engines did not supply the data listed in paragraph (e) to the manufacturer.

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.

(f) For the purposes of this AD, “No-Data Fleet” is defined as a category of engines for which the engine SNs are not listed in Table 2 of this AD. The operators of the “No Data Fleet” engines did not supply the data listed in paragraph (e) to the manufacturer.

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.

(f) For the purposes of this AD, “No-Data Fleet” is defined as a category of engines for which the engine SNs are not listed in Table 2 of this AD. The operators of the “No Data Fleet” engines did not supply the data listed in paragraph (e) to the manufacturer.

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.

(f) For the purposes of this AD, “No-Data Fleet” is defined as a category of engines for which the engine SNs are not listed in Table 2 of this AD. The operators of the “No Data Fleet” engines did not supply the data listed in paragraph (e) to the manufacturer.

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.

(f) For the purposes of this AD, “No-Data Fleet” is defined as a category of engines for which the engine SNs are not listed in Table 2 of this AD. The operators of the “No Data Fleet” engines did not supply the data listed in paragraph (e) to the manufacturer.
(l) After the effective date of this AD:
(1) Do not install any part listed in Table 3 of this AD that has a CSN equal to or more than Table 3, Limit 3.
(2) If the CSN for a part listed in Table 3 of this AD are fewer than Table 3, Limit 3:
(i) Until July 31, 2007, you may return the part to service, if the part passes the applicable inspections specified in the CT64–620–4 Engine Overhaul Manual, SEI–448.
(ii) You must remove the part from service before Table 3, Limit 3 is exceeded, but no later than July 31, 2013.
(iii) After July 31, 2007, do not install any part listed in Table 3 of this AD.
(m) On July 31, 2007, for engines in service that have a part listed in Table 3 of this AD, remove the affected part before exceeding Table 3, Limit 3, but no later than July 31, 2013.
(n) For main shafts, P/N 5009T73P02, and P/N 6012T83P02, and power turbine rotor tiebolt, P/N 3008T44P02, with unknown CSN do the following:
(1) Assign each part a CSN value of 7,400 CSN as of the effective date of this AD and refer to Table 3 of this AD for removal requirements.
(2) Continue to track the parts starting from 7,400 CSN and remove from service as specified in paragraphs (j) through (n) of this AD, but no later than July 31, 2013.
(o) For rear air seal, P/N 4022T36P03, and power turbine stage 4 disk, P/N 5006T16P04, with unknown CSN, remove the part before exceeding 10 additional cycles, but no later than July 31, 2013.

No-Data Fleet Rotating Part Removal Requirements
(p) For parts listed in Table 4 of this AD and installed in serviceable engines (those that are in service, or have met the requirements for and have been approved for return to service) on the effective date of this AD, do the following:
(1) If the CSN of a part listed in Table 4 of this AD are equal to or more than Table 4, Limit 2 as of the effective date of this AD, do not return the part before exceeding 50 additional CIS or Table 4, Limit 1, whichever occurs first, but not later than July 31, 2013.
(2) If the CSN for a part listed in Table 4 of this AD are fewer than Table 4, Limit 2 as of the effective date of this AD, remove the part from service before exceeding Table 4, Limit 3, but not later than July 31, 2013.
(q) For all rotating parts listed in Table 4 of this AD and put into service after the effective date of this AD, remove from service before the CSN exceeds Table 4, Limit 3, but not later than July 31, 2013.

---

Table 4.—Affected No-Data Fleet Rotating Part Removal Requirements

<table>
<thead>
<tr>
<th>Rotor</th>
<th>Nomenclature</th>
<th>Part No.</th>
<th>Limit 1 (cycles)</th>
<th>Limit 2 (cycles)</th>
<th>Limit 3 (cycles)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compressor</td>
<td>Shaft, Front</td>
<td>5007T03P03</td>
<td>30,000</td>
<td>29,950</td>
<td>30,000</td>
</tr>
<tr>
<td></td>
<td>Disk, Stage 1</td>
<td>5015T2P01</td>
<td>13,000</td>
<td>8,950</td>
<td>9,000</td>
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<tr>
<td></td>
<td>Retainer, Disk, Stage 1</td>
<td>5013T71P01</td>
<td>30,000</td>
<td>29,950</td>
<td>30,000</td>
</tr>
<tr>
<td></td>
<td>Disk, Stage 2</td>
<td>5013T93P01</td>
<td>23,000</td>
<td>8,950</td>
<td>9,000</td>
</tr>
<tr>
<td></td>
<td>Spacer, Disk, Stage 2</td>
<td>5015T94P01</td>
<td>30,000</td>
<td>8,950</td>
<td>9,000</td>
</tr>
<tr>
<td></td>
<td>Disk, Stage 3</td>
<td>5015T95P01</td>
<td>9,000</td>
<td>8,950</td>
<td>9,000</td>
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<tr>
<td></td>
<td>Spool, Rotor, Front</td>
<td>6003T84P02</td>
<td>5,100</td>
<td>2,950</td>
<td>3,000</td>
</tr>
<tr>
<td></td>
<td>Spool, Rotor, Rear</td>
<td>6005T18P01</td>
<td>19,000</td>
<td>4,350</td>
<td>4,400</td>
</tr>
<tr>
<td></td>
<td>Shaft, Rear</td>
<td>6005T26P01</td>
<td>30,000</td>
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<td>9,000</td>
</tr>
<tr>
<td>Gas Generator Turbine</td>
<td>Disk and Shaft, Stage 1</td>
<td>6014T70P02</td>
<td>7,000</td>
<td>6,950</td>
<td>7,000</td>
</tr>
<tr>
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<td>Disk, Stage 2</td>
<td>4007T83P02</td>
<td>11,300</td>
<td>6,250</td>
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</tr>
<tr>
<td></td>
<td>Ring, Torque</td>
<td>3008T60P02</td>
<td>30,000</td>
<td>6,950</td>
<td>7,000</td>
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<tr>
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<td>Plate, Cooling</td>
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<td>4,950</td>
<td>5,000</td>
</tr>
<tr>
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<td>Plate, Cooling</td>
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<td>5,000</td>
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<td>5,000</td>
</tr>
<tr>
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<td>Seal, Interstage</td>
<td>5006T54P02</td>
<td>5,100</td>
<td>5,050</td>
<td>5,100</td>
</tr>
<tr>
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<td>Seal, Air, Rear</td>
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<td>4,950</td>
<td>5,000</td>
</tr>
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<td>Seal, Air, Rear</td>
<td>4022T33P02</td>
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<td>4,950</td>
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</tr>
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<td>Seal, Air, Rear</td>
<td>4022T36P02</td>
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<td>4,950</td>
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</tr>
<tr>
<td></td>
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<td>13,000</td>
</tr>
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<td>Disk, Stage 4</td>
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<td>Seal, Interstage</td>
<td>4008T29P01</td>
<td>30,000</td>
<td>12,950</td>
<td>13,000</td>
</tr>
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<td></td>
<td>Shaft, Main</td>
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<td>12,950</td>
<td>13,000</td>
</tr>
<tr>
<td></td>
<td>Shaft, Main</td>
<td>6012T83P02</td>
<td>13,000</td>
<td>12,950</td>
<td>13,000</td>
</tr>
<tr>
<td>Power Turbine</td>
<td>Tiebolt, Power Turbine Rotor</td>
<td>3008T44P02</td>
<td>13,000</td>
<td>12,950</td>
<td>13,000</td>
</tr>
</tbody>
</table>

---

(r) After the effective date of this AD:
(1) Do not install any part listed in Table 4 of this AD that has a CSN equal to or more than Table 4, Limit 3.
(2) If the CSN for a part listed in Table 4 of this AD are fewer than Table 4, Limit 3:
(i) Until July 31, 2007, you may return the part to service, if the part passes the applicable inspections specified in the CT64–620–4 Engine Overhaul Manual, SEI–448.
(ii) You must remove the part from service before Table 4, Limit 3 is exceeded, but no later than July 31, 2013.
(iii) After July 31, 2007, do not install any part listed in Table 4 of this AD.
(s) On July 31, 2007, for engines in service that have a part listed in Table 4 of this AD, remove the affected part before exceeding Table 4, Limit 3, but no later than July 31, 2013.
(t) For main shafts, P/N 5009T73P02, and P/N 6012T83P02, and power turbine rotor tiebolt, P/N 3008T44P02, with unknown CSN, remove the part before exceeding 50 additional cycles
(u) For rear air seal, P/N 4022T36P03, and power turbine stage 4 disk, P/N 5006T16P04, with unknown CSN, remove the part before exceeding 10 additional cycles, but no later than July 31, 2013.

Log Book Entry
(v) For all engines, calculate the cycles remaining on the affected rotating parts and make an entry in the Engine Log Book marked with the engine S/N and its fleet category, either "DATA FLEET" or "NO-DATA FLEET."
(1) Date and file the record in the Engine Log Book.
(2) Note in the Engine Log Book that AD 2006–08–10 has been complied with.

Alternative Methods of Compliance
(w) The Manager, Engine 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
(x) GE Aircraft Engines CT64 Alert Service Bulletin CT64 S/B 72–A0130, dated January 24, 2006, pertains to the subject of this AD.
DEPARTMENT OF HOMELAND SECURITY
Bureau of Customs and Border Protection
19 CFR Parts 101 and 122
USCBP–2005–0030 and [CBP Dec. 06–10]
Establishment of Port of Entry at New River Valley, VA, and Termination of the User-Fee Status of New River Valley Airport
AGENCY: Customs and Border Protection, DHS.
ACTION: Final rule.
SUMMARY: This document amends Department of Homeland Security regulations pertaining to the field organization of the Bureau of Customs and Border Protection by conditionally establishing a new port of entry at New River Valley, Virginia, and terminating the user-fee status of New River Valley Airport. The new port of entry consists of all the area surrounded by the continuous outer boundaries of the Montgomery, Pulaski and Roanoke counties in the Commonwealth of Virginia. This area includes New River Valley Airport, located in the town of Dublin, Virginia, which currently operates and is listed as a user-fee airport at 19 CFR 122.15(b). The change of status for New River Valley Airport, from a user-fee airport to inclusion within the boundaries of a port of entry, would subject the airport to the passenger processing fee provided for at 19 U.S.C. 58c(a)(5)(B).
CBP proposed to establish the new port of entry based on its review of the level and pace of development in the New River Valley area. CBP evaluated whether there is a sufficient volume of import business (actual or potential) to justify the expense of maintaining a new office or expending service in the New River Valley area based on the criteria for port of entry designations set forth in Treasury Decision (T.D.) 82–37 (Revision of Customs Criteria for Establishing Ports of Entry and Stations, 47 FR 10137), as revised by T.D. 86–14 (51 FR4559) and T.D. 87–65 (52 FR 16328). New River Valley was proposed to be a conditional port of entry based on the potential of the area. The actual and potential workload statistics of the area were set forth in the Notice of Proposed Rulemaking. See 70 FR at 38637–38.
Analysis of Comments and Conclusion
Several comments were received in response to the Notice of Proposed Rulemaking. All of the comments were favorable to the proposal. Each comment was favorable in the entirety; no alternate courses of action, limitations or possible problems were presented by the commenters. Because CBP continues to believe that the potential volume of import business in New River Valley supports a new port of entry there, and that the establishment of the new port of entry will assist CBP in its continuing efforts to provide better service to carriers, importers and the general public.
EFFECTIVE DATE: May 19, 2006.
SUPPLEMENTARY INFORMATION: Background
In a Notice of Proposed Rulemaking published in the Federal Register (70 FR 38637) on July 5, 2005, the Department of Homeland Security (DHS), Bureau of Customs and Border Protection (CBP), proposed to amend 19 CFR 101.3(b)(1) by conditionally establishing a new port of entry at New River Valley, VA. The new port of entry, as proposed, would include the area surrounded by the continuous outer boundaries of the Montgomery, Pulaski and Roanoke counties in the Commonwealth of Virginia. This area includes New River Valley Airport, located in the town of Dublin, Virginia, which currently operates and is listed as a user-fee airport at 19 CFR 122.15(b). The change of status for New River Valley Airport, from a user-fee airport to inclusion within the boundaries of a port of entry, would subject the airport to the passenger processing fee provided for at 19 U.S.C. 58c(a)(5)(B).
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