

A, dated March 20, 2009 (ASB), paragraph 3.A.

**Note 1:** Figure 1 of the ASB contains guidance for removal and installation of the studs

(2) Visually inspect the tapped holes and the MGB housing lockring counterbore for

damage. If you find damage in the tapped holes or in the MGB housing lockring counterbore, contact the Boston Aircraft Certification Office for an approved repair.

(3) Install steel studs and mark the MGB housing as "TS-062-01" near the P/N by following the Accomplishment Instructions in the ASB, paragraph 3.C.

(b) Within 10 hours time-in-service, for all helicopters regardless of MGB housing assembly P/N:

(1) Revise the Normal and Emergency procedures sections of the Rotorcraft Flight Manual (RFM) by making the following changes, approved May 13, 2009:

RFM	Remove	Remove	Insert
SA S92A-RFM-000 Part I.	Temporary Revision (T-Rev) No. 1, Revised Main Gearbox Emergency Procedure.	Page 2-12, and Sub-Section 7 "Gear Box Malfunctions" from Section III.	Page 2-12, and Sub-Section 7 "Gear Box Malfunctions" from Section III of SA S92A-RFM-000, Revision No. 4.
SA S92A-RFM-002 Part I.	T-Rev No. 5, Revised Main Gearbox Emergency Procedure.	Page 2-13, and Sub-Section 7 "Gear Box Malfunctions" from Section III.	Page 2-13, and Sub-Section 7 "Gear Box Malfunctions" from Section III of SA S92A-RFM-002, Revision No. 10.
SA S92A-RFM-003 Part I.	T-Rev No. 4, Revised Main Gearbox Emergency Procedure.	Page 2-13, and Sub-Section 7 "Gear Box Malfunctions" from Section III.	Page 2-13, and Sub-Section 7 "Gear Box Malfunctions" from Section III of SA S92A-RFM-003, Revision No. 10.
SA S92A-RFM-004 Part I.	T-Rev No. 4, Revised Main Gearbox Emergency Procedure.	Page 2-12, and Sub-Section 7 "Gear Box Malfunctions" from Section III.	Page 2-12, and Sub-Section 7 "Gear Box Malfunctions" from Section III of SA S92A-RFM-004, Revision No. 8.
SA S92A-RFM-005 Part I.	T-Rev No. 3, Revised Main Gearbox Emergency Procedure.	Page 2-13, and Sub-Section 7 "Gear Box Malfunctions" from Section III.	Page 2-13, and Sub-Section 7 "Gear Box Malfunctions" from Section III of SA S92A-RFM-005, Revision No. 7.
SA S92A-RFM-006 Part I.	T-Rev No. 2, Revised Main Gearbox Emergency Procedure.	Page 2-13, and Sub-Section 7 "Gear Box Malfunctions" from Section III.	Page 2-13, and Sub-Section 7 "Gear Box Malfunctions" from Section III of SA S92A-RFM-006, Revision No. 8.
S92A-RFMS No. 3	N/A	Sub-Section 7 "Gear Box Malfunctions" from Section III.	Sub-Section 7 "Gear Box Malfunctions" from Section III of S92A-RFM Supplement No. 3, Revision No. 2.

All paragraphs of subsection 7 "Gear Box Malfunctions" starting with paragraph 7.0 are affected.

**Note 2:** Inserting the following revisions, approved on May 13, 2009, and their associated Errata Sheets, dated June 4, 2009, into the RFM, as applicable, satisfies the requirements of this AD:

- (i) SA S92A-RFM-000 Revision No. 4,
  - (ii) SA S92A-RFM-002 Revision No. 10,
  - (iii) SA S92A-RFM-003 Revision No. 10,
  - (iv) SA S92A-RFM-004 Revision No. 8,
  - (v) SA S92A-RFM-005 Revision No. 7,
  - (vi) SA S92A-RFM-006 Revision No. 8,
- and
- (vii) S92A-RFM Supplement No. 3, Revision No. 2.

(c) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Contact the Manager, Boston Aircraft Certification Office, FAA, Attn: John M. Coffey, FAA, 12 New England Executive Park, Burlington, MA 01803, telephone (781) 238-7173, fax (781) 238-7170, for information about previously approved alternative methods of compliance.

(d) Special flight permits will not be issued.

(e) Remove and replace the titanium studs by following the specified portions of Sikorsky Alert Service Bulletin No. 92-63-014, Revision A, dated March 20, 2009. The Director of the Federal Register previously approved the incorporation by reference of this information on April 27, 2009 under 5 U.S.C. 552(a) and 1 CFR part 51 (74 FR 18977, April 27, 2009). Copies may be obtained from Sikorsky Aircraft Corporation, Attn: Manager, Commercial Technical Support, mailstop s581a, 6900 Main Street, Stratford, CT, telephone (203) 383-4866, e-mail address [tsslibrary@sikorsky.com](mailto:tsslibrary@sikorsky.com) or at

<http://www.sikorsky.com>. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas, 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).

(f) This amendment becomes effective on July 1, 2009.

Issued in Fort Worth, Texas, on June 9, 2009.

**Mark R. Schilling,**

*Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. E9-14081 Filed 6-15-09; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**23 CFR Parts 192, 470, 625, 634, 650, 655, 772, 971, 972, 973, 1206, 1208, 1210, and 1215**

**[FHWA Docket No. FHWA-2009-0028]**

**RIN 2125-AF30**

**Address Correction**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The FHWA is amending a number of its regulations to reflect the move of DOT's headquarters site in Washington, DC.

**DATES:** *Effective Date:* June 16, 2009.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Outhouse, Office of Chief Counsel, 1200 New Jersey Avenue, SE., Washington, DC 20590; (202) 366-1381.

**SUPPLEMENTARY INFORMATION:** This publication makes corrections to the FHWA regulations to update the DOT headquarters address. Since this amendment relates to departmental management, organization, procedure, and practice, notice and comment are unnecessary under 5 U.S.C. 553(b). Further, since the amendment merely makes technical corrections and updates, the FHWA finds good cause under 5 U.S.C. 553(d)(3) for the final rule to be effective on the date of publication in the **Federal Register**.

**Regulatory Analyses and Notices**

*A. Executive Order 12866 and DOT Regulatory Policies and Procedures*

This final rule is not considered a significant regulatory action under Executive Order 12866 and DOT regulatory Policies and Procedures (44 FR 11034). It was not reviewed by the Office of Management and Budget. There are no costs associated with this rule.

*B. Executive Order 13132*

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13132 (Federalism). This final rule does not have a substantial direct effect on, or sufficient federalism implications for, the States, nor would it limit the policymaking discretion of the States. Therefore the consultation requirements of Executive Order 13132 do not apply.

*C. Executive Order 13175*

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments). Because this final rule does not significantly or uniquely affect the communities of the Indian tribal government and does not impose substantial direct compliance costs, the funding and consultations requirements of Executive Order 13175 do not apply.

*D. Regulatory Flexibility Act*

Because no notice of proposed rulemaking is required for this rule under the Administrative Procedure Act, 5 U.S.C. 553, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We also do not believe this rule would impose any costs on small entities because it simply makes nonsubstantive corrections. Therefore, the FHWA certifies this final rule will not have a significant economic impact on a substantial number of small entities.

*E. Paperwork Reduction Act*

This rule contains no information collection requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

*F. Unfunded Mandates Reform Act*

The Federal Highway Administration has determined that the requirements of the Title II of the Unfunded Mandates Reform Act of 1995 do not apply to this rulemaking.

**List of Subjects**

23 CFR Part 192

Highways, Reporting and recordkeeping requirements.

23 CFR Part 230, Subpart C, Appendix A

Highways, Reporting and recordkeeping requirements.

23 CFR Part 470

Highways, Reporting and recordkeeping requirements.

23 CFR Part 625

Highways, Reporting and recordkeeping requirements.

23 CFR Part 634

Highways, Reporting and recordkeeping requirements.

23 CFR Part 650

Highways, Reporting and recordkeeping requirements.

23 CFR Part 655

Highways, Reporting and recordkeeping requirements.

23 CFR Part 772

Highways, Reporting and recordkeeping requirements.

23 CFR Part 971

Highways, Reporting and recordkeeping requirements.

23 CFR Part 972

Highways, Reporting and recordkeeping requirements.

23 CFR Part 973

Highways, Reporting and recordkeeping requirements.

23 CFR Part 1206

Highways, Reporting and recordkeeping requirements.

23 CFR Part 1208

Highways, Reporting and recordkeeping requirements.

23 CFR Part 1210

Highways, Reporting and recordkeeping requirements.

23 CFR Part 1215

Highways, Reporting and recordkeeping requirements.

Issued on: April 21, 2009.

**Jeffrey F. Paniati,**

*Acting Deputy Administrator, Federal Highway Administration.*

■ In consideration of the foregoing, the FHWA amends Parts 192, 470, 625, 634, 650, 655, 772, 971, 972, 973, 1206, 1208, 1210, and 1215 of title 23, Code of Federal Regulations, as follows:

**TITLE 23—HIGHWAYS**

**PARTS 192, 470, 625, 634, 650, 655, 772, 971, 972, 973, 1206, 1208, 1210, AND 1215 [AMENDED]**

**§§ 192.10, 470.105, 625.4, 634.2, 650.317, 655.603, 772.17, 971.212, 972.212, 973.212, 1206.5, 1208.6, 1210.10, and 1215.6 [Amended]**

■ 1. In Title 23, remove text specified in the “Remove” column and add in its place the text in the “Add” column in the sections indicated below:

Section	Remove	Add
192.10(b) .....	400 Seventh Street, SW .....	1200 New Jersey Avenue, SE.
Part 230, Subpart C, Appendix A, FN 1 .....	400 7th St., SW .....	1200 New Jersey Avenue, SE.
470.105(a) .....	400 Seventh Street, SW .....	1200 New Jersey Avenue, SE.
625.4(d) introductory text .....	400 Seventh Street, SW., Washington, DC, in Room 2200.	
634.2 in the definition of <i>High-visibility safety apparel.</i>	400 Seventh Street, SW., Room 4232 .....	1200 New Jersey Avenue, SE., Washington, DC.
650.317(a) .....	400 Seventh Street, SW., Washington, DC, in Room 2200.	1200 New Jersey Avenue, SE.
655.603(c), footnote 1 .....	400 Seventh Street, SW .....	1200 New Jersey Avenue, SE., Washington, DC.
772.17(a) .....	400 Seventh Street, SW., Room 3240 .....	1200 New Jersey Avenue, SE.
971.212(b), footnote 3 .....	Room 3407, 400 Seventh Street, SW .....	1200 New Jersey Avenue, SE.
972.212(b), footnote 3 .....	Room 3407, 400 Seventh Street, SW .....	1200 New Jersey Avenue, SE.
973.212(c), footnote 3 .....	Room 3407, 400 Seventh Street, SW .....	1200 New Jersey Avenue, SE.
1206.5(b) .....	400 Seventh Street, SW .....	1200 New Jersey Avenue, SE.
1208.6(b) .....	400 Seventh Street, SW .....	1200 New Jersey Avenue, SE.
1210.10(b) .....	400 Seventh Street, SW .....	1200 New Jersey Avenue, SE.
1215.6(b) .....	400 Seventh Street, SW .....	1200 New Jersey Avenue, SE.

[FR Doc. E9-13990 Filed 6-15-09; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 35

[EPA-HQ-SFUND-2009-0144; FRL-8919-3]

RIN 2050-AG53

### Inclusion of CERCLA Section 128(a) State Response Programs and Tribal Response Programs

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This final rule revises regulations to include State Response Programs and Tribal Response Programs under Section 128(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) as among the Environmental Program Grants eligible for inclusion in a Performance Partnership Grant (PPG). The rule also adds State Response Program and Tribal Response Program specific provisions.

**DATES:** This rule is effective on June 16, 2009.

**ADDRESSES:** The mailing address of the Office of Brownfields and Land Revitalization, Office of Solid Waste and Emergency Response, is U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., MC 5105T, Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** For general information contact the U.S. EPA's Virginia Fornillo, Office of Solid Waste and Emergency Response, Office of Brownfields and Land Revitalization, at (202) 566-2770 ([fornillo.virginia@epa.gov](mailto:fornillo.virginia@epa.gov)), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460-0002, Mail Code 5105T.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

State Response Program Grants and Tribal Response Program Grants, authorized under Section 128(a) of CERCLA, are awarded to States and Tribes to establish or enhance the response program of the State or Tribe; capitalize a revolving loan fund for Brownfield remediation under section 104(k)(3); or purchase insurance or develop a risk sharing pool, an indemnity pool, or insurance mechanism to provide financing for response actions under a State or Tribal

response program. Public Law 104-134 authorizes EPA to combine State and Tribal Assistance Grant (STAG) "categorical" program grant funds into PPGs. The CERCLA 128(a) State and Tribal Response program grants are funded from STAG categorical appropriations and are eligible for inclusion under 40 CFR 35.133 and 35.533 in a PPG. On August 20, 2004, EPA implemented a pilot program authorizing EPA Regional Offices to add CERCLA 128(a) State and Tribal Grant program funds into PPGs for one state and one tribe in each region (69 FR 51756).

##### II. This Action

The intent of this action is to include CERCLA 128(a) grants in the list of grants eligible to be included in a Performance Partnership Grant (PPG). Consistent with current Agency guidance on using CERCLA 128 funds, EPA has determined that funds awarded to states and tribes under CERCLA 128(a)(1)(B)(ii) to capitalize a revolving loan fund for Brownfield remediation under section 104(k)(3); or purchase insurance or develop a risk sharing pool, an indemnity pool, or insurance mechanism to provide financing for response actions under a State or Tribal response program are not eligible for inclusion in PPGs. EPA's regulations implementing PPGs are found at 40 CFR 35.101, 40 CFR 35.130-35.138, 40 CFR 35.501 and 40 CFR 35.530-35.538. This rule amends these regulations to include State Response Programs Section CERCLA 128(a) under Title 40 Part 35 Subpart A and Tribal Response Programs Section CERCLA 128(a) under Title 40 Part 35, Subpart B as a PPG eligible grant program. The rule also adds State Response Program and Tribal Response Program specific provisions to 40 CFR Part 35, Subparts A and B.

##### III. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and is therefore not subject to OMB review. Because this grant action is not subject to notice and comment requirements under the Administrative Procedures Act or any other statute, it is not subject to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) or Sections 202 and 205 of the Unfunded Mandates Reform Act of 1999 (UMRA) (Pub. L. 104-4). In addition, this action does not significantly or uniquely affect small governments. Although this action does not generally create new binding legal requirements, where it does, such requirements do not substantially and

directly affect Tribes under Executive Order 13175 (63 FR 67249, November 9, 2000). Although this grant action does not have significant Federalism implications under Executive Order 13132 (64 FR 43255, August 10, 1999), EPA consulted with states in the development of these grant guidelines. This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because this is not an economically significant regulatory action as defined by Executive Order 12866, and this action does not address environmental health or safety risks disproportionately affecting children. This action is not subject to Executive Order 13211, "Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001), because it is not a significant regulatory action under Executive Order 12866. This action does not involve technical standards; thus, the requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This action does not entail special considerations of environmental justice related issues as delineated by Executive Order 12898 (59 FR 7629, February 16, 1994). The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before certain actions may take effect, the agency promulgating the action must submit a report, which includes a copy of the action, to each House of the Congress and to the Comptroller General of the United States. Since this grant action, when finalized, will contain legally binding requirements, it is subject to the Congressional Review Act, and EPA will submit its final action in its report to Congress under the Act.

##### List of Subjects in 40 CFR Part 35

Environmental protection, Air pollution control, Grant programs—environmental protection, Grant programs—Indians, Indians, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: June 9, 2009.

**Lisa P. Jackson,**  
Administrator.

■ EPA amends 40 CFR Part 35 as follows:

##### PART 35—STATE AND LOCAL ASSISTANCE—[AMENDED]

■ 1. The authority citation for part 35, subpart A continues to read as follows: