

Rules and Regulations

Federal Register

Vol. 69, No. 169

Wednesday, September 1, 2004

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 04-036-2]

Pine Shoot Beetle; Additions to Quarantined Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the pine shoot beetle regulations by adding Decatur, Jennings, and Ripley Counties, IN, and Franklin County, NY, to the list of quarantined areas. As a result of that action, the interstate movement of regulated articles from those areas is restricted. The interim rule was necessary to prevent the spread of pine shoot beetle, a pest of pine products, into noninfested areas of the United States.

EFFECTIVE DATE: The interim rule became effective on June 7, 2004.

FOR FURTHER INFORMATION CONTACT: Dr. Weyman Fussell, Program Manager, Pest Detection and Management Programs, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737-1231; (301) 734-5705.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective and published in the **Federal Register** on June 7, 2004 (69 FR 31723-31725, Docket No. 04-036-1), we amended the pine shoot beetle regulations contained in 7 CFR 301.50 through 301.50-10 by adding Decatur, Jennings, and Ripley Counties, IN, and Franklin County, NY, to the list of quarantined areas in § 301.50-3. That action was necessary to

prevent the spread of pine shoot beetle into noninfested areas of the United States.

Comments on the interim rule were required to be received on or before August 6, 2004. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 301—DOMESTIC QUARANTINE NOTICES

■ Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR part 301 and that was published at 69 FR 31723-31725 on June 7, 2004.

Authority: 7 U.S.C. 7701-7772; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75-15 also issued under Sec. 204, Title II, Pub. L. 106-113, 113 Stat. 1501A-293; sections 301.75-15 and 301.75-16 also issued under Sec. 203, Title II, Pub. L. 106-224, 114 Stat. 400 (7 U.S.C. 1421 note).

Done in Washington, DC, this 26th day of August 2004.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 04-19930 Filed 8-31-04; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 21

[Docket No. FAA-2001-11133; Amendment No. 21-85]

RIN 2120-AH19

Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft; Correction

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; correction.

SUMMARY: The FAA is correcting an inadvertent error to a final regulation published in the **Federal Register** of Tuesday, July 27, 2004 (69 FR 44772). The regulation related to the certification of aircraft and airmen for the operation of light-sport aircraft. The correction is to the section concerning experimental certificates.

DATES: The regulation is effective September 1, 2004.

FOR FURTHER INFORMATION CONTACT:

Susan Gardner, Flight Standards Service, General Aviation and Commercial Division (AFS-800), Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591; telephone 907-271-2034, or 202-267-8212.

SUPPLEMENTARY INFORMATION: In the preamble to FAA's final rule "Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft," the agency stated that it reissued exemptions from 14 CFR part 103 to the Experimental Aircraft Association (EAA), the United States Ultralight Organization (USUA) and Aero Sports Connection (ASC) to permit flight training in ultralight vehicles. These exemptions will expire on January 31, 2008. As stated in the preamble to the final rule, this date coincides with the date established to transition existing ultralight training vehicles and single- and two-place ultralight-like aircraft to the provisions of the final rule.

This document changes a date that was incorrectly provided in the preamble discussion and rule text of paragraph (i)(1) of § 21.191 Experimental certificates. This change is being made to make the rule consistent with the January 31, 2008 date. The changes are as follows:

In FR Doc. 04-16577 appearing on page 44772 in the **Federal Register** of Tuesday, July 27, 2004, make the following corrections:

1. On page 44807, in the third column, in the 15th and 16th lines from the bottom of the page, "August 31, 2007" is corrected to read "January 31, 2008."

2. On page 44808, in the third column, in the 15th and 16th lines from the bottom of the page, "August 31, 2007" is corrected to read "January 31, 2008."

3. On page 44859, in the first column, in the 12th line from the bottom of the page, "August 31, 2007" is corrected to read "January 31, 2008."

§ 21.191 [Corrected]

4. On page 44862, in the third column, in § 21.191(i)(1), "August 31, 2007" is corrected to read "January 31, 2008."

Issued in Washington, DC, on August 27, 2004.

Anthony F. Fazio,

Director, Office of Rulemaking.

[FR Doc. 04-19937 Filed 8-27-04; 1:33 pm]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2004-18978; Directorate Identifier 2004-NM-127-AD; Amendment 39-13780; AD 2001-14-08 R1]

RIN 2120-AA64

Airworthiness Directives; McDonnell Douglas Model DC-10 Series Airplanes, Model MD-10 Series Airplanes, and Model MD-11 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; rescission.

SUMMARY: The FAA is rescinding an existing airworthiness directive (AD) that applies to certain McDonnell Douglas Model DC-10 series airplanes, Model MD-10 series airplanes, and Model MD-11 series airplanes. That AD requires repetitive inspections of the numbers 1 and 2 electric motors of the auxiliary hydraulic pump for electrical resistance, continuity, mechanical rotation, and associated wiring resistance/voltage; and corrective actions, if necessary. We issued that AD to prevent various failures of electric motors of the auxiliary hydraulic pump and associated wiring, which could

result in fire at the auxiliary hydraulic pump and consequent damage to the adjacent electrical equipment and/or structure. Since we issued that AD, we have determined that the inspection requirements are identical to the inspection requirements of another existing AD.

DATES: Effective September 1, 2004.

ADDRESSES: Use one of the following addresses to submit comments on this rescission.

- 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.

- 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.

You can examine the contents of this AD docket on the Internet at <http://dms.dot.gov>, or at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., room PL-401, on the plaza level of the Nassif Building, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ken Sujishi, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5353; fax (562) 627-5210.

SUPPLEMENTARY INFORMATION: On July 2, 2001, the FAA issued AD 2001-14-08, amendment 39-12319 (66 FR 36441, July 12, 2001), which applies to certain McDonnell Douglas Model DC-10 series airplanes, Model MD-10 series airplanes, and Model MD-11 series airplanes. That AD requires repetitive inspections (at intervals not to exceed 6,000 flight hours) of the numbers 1 and 2 electric motors of the auxiliary hydraulic pump for electrical resistance, continuity, mechanical rotation, and associated wiring resistance/voltage; and corrective actions, if necessary. That action was prompted by reports that, during ground operations or when powered in flight by the air driven generator, the electric motors of the auxiliary hydraulic pump and associated motor feeder cables failed. The actions required by that AD are intended to prevent various failures of

electric motors of the auxiliary hydraulic pump and associated wiring, which could result in fire at the auxiliary hydraulic pump and consequent damage to the adjacent electrical equipment and/or structure.

Actions Since Previous AD Was Issued

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A, KDC-10), DC-10-40, and DC-10-40F airplanes; and Model MD-10-10F and MD-10-30F airplanes, was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on January 22, 2004 (69 FR 3036). The NPRM, Docket 2003-NM-119-AD, would supersede AD 2001-14-08 to require that the repetitive inspections of the numbers 1 and 2 electric motors of the auxiliary hydraulic pump for electrical resistance, continuity, mechanical rotation, and associated airplane wiring resistance/voltage; and corrective actions, if necessary, be performed at reduced intervals (*i.e.*, from 6,000 flight hours to 2,500 flight hours). That action was prompted by a report from Boeing that the original compliance time was not adequate, because another incident of failure of an electric motor of the auxiliary hydraulic pump had occurred during the interval between repetitive inspections. The proposed actions are intended to prevent various failures of electric motors of the auxiliary hydraulic pump and associated wiring, which could result in fire at the auxiliary hydraulic pump and consequent damage to the adjacent electrical equipment and/or structure.

Since the issuance of AD 2001-14-08, we also issued AD 2004-05-20, amendment 39-13515 (69 FR 11504, March 11, 2004), applicable to certain McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, and DC-10-40F airplanes; Model MD-10-10F and MD-10-30F airplanes; and Model MD-11 and MD-11F airplanes. That AD requires modification of the installation wiring for the electric motor operated auxiliary hydraulic pumps in the right wheel well area of the main landing gear, and repetitive inspections (at intervals not to exceed 2,500 flight hours) of the numbers 1 and 2 electric motors of the auxiliary hydraulic pumps for electrical resistance, continuity, mechanical rotation, and associated airplane wiring resistance/voltage; and corrective actions if necessary. That action was