

1993, or Revision 5, dated October 1994; Volume II, Revision 6, dated October 1997, or Boeing Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)," Revision 7, dated August 2002; and McDonnell Douglas Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)," Volume III-94, dated November 1994; are acceptable for compliance with the requirements of paragraph (j) of this AD.

Acceptable for Compliance

(p) McDonnell Douglas Report No. MDC 91K0264, "DC-10/KC-10 Aging Aircraft Repair Assessment Program Document," Revision 1, dated October 2000, provides inspection/replacement programs for certain repairs to the fuselage pressure shell. These

repairs and inspection/replacement programs are considered acceptable for compliance with the requirements of paragraphs (h) and (m) of this AD for repairs subject to that document.

Alternative Methods of Compliance (AMOCs)

(q) The Manager, Los Angeles ACO, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(r)(1) Inspection procedures accomplished and approved previously as AMOCs prior to the effective date of this AD as alternative inspection procedures in accordance with AD 95-23-09, amendment 39-9429; AD 93-17-09, amendment 39-8680; AD 92-02-08, amendment 39-8144; or AD 89-22-10,

amendment 39-6330; are approved as AMOCs with the actions required by paragraph (j) of this AD.

(2) Repairs accomplished and approved previously as AMOCs in accordance with AD 95-23-09, amendment 39-9429; AD 93-17-09, amendment 39-8680; AD 92-02-08, amendment 39-8144; or AD 89-22-10, amendment 39-6330; are approved as AMOCs with the actions required by paragraph (h) or (m) of this AD.

Material Incorporated by Reference

(s) You must use the service information that is specified in Table 1 of this AD to perform the actions that are required by this AD, unless the AD specifies otherwise.

TABLE 1.—MATERIAL INCORPORATED BY REFERENCE

Service information	Volume	Revision	Date
Boeing Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)," including Appendices A and B.	Volume I	Revision 6	February 2002.
McDonnell Douglas Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)".	Volume II	Revision 8	November 2003.
McDonnell Douglas Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)".	Volume II	Revision 5	October 1994.
McDonnell Douglas Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)".	Volume III-92	Original	October 1992.
McDonnell Douglas Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)".	Volume III-94	Original	November 1994.

(1) The incorporation by reference of Boeing Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)," Volume I, including Appendices A and B, Revision 6, dated February 2002; and McDonnell Douglas Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)" Volume II, Revision 8, dated November 2003; is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. (Only the title, Record of Revision, and List of Effective pages identify Boeing Report No. L26-012, Volume I, as Revision 6. Only page 3.1 of Section 3 and pages B-1 through B-4 of Appendix B of Volume I, Revision 6, contain the Boeing Report No., L26-012. Only the title, Record of Revision, and Table of Contents pages identify McDonnell Douglas Report No. L26-012, Volume II, as Revision 8. Only the title page of Volume II, Revision 8, contains the McDonnell Douglas Report No., L26-012.)

(2) The incorporation by reference of McDonnell Douglas Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)," Volume II, Revision 5, dated October 1994; and McDonnell Douglas Report No. L26-012, Volume III-94, dated November 1994; was approved previously by the Director of the Federal Register as of January 2, 1996 (60 FR 61649, December 1, 1995).

(3) The incorporation by reference of McDonnell Douglas Report No. L26-012, "DC-10 Supplemental Inspection Document (SID)," Volume III-92, dated October 1992, was approved previously by the Director of the Federal Register as of November 24, 1993 (58 FR 54949, October 25, 1993).

(4) To get copies of the service information, contact Boeing Commercial Airplanes, Long

Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024). To view the AD docket, go to the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Nassif Building, Washington, DC. To review copies of this service information, go to the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

Issued in Renton, Washington, on June 28, 2005.

Kevin M. Mullin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 05-13437 Filed 7-13-05; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2005-21735; Directorate Identifier 2005-NE-22-AD; Amendment 39-14189; AD 2005-14-12]

RIN 2120-AA64

Airworthiness Directives; Hartzell Propeller Inc. Models HC-B3TN-2, HC-B3TN-3, HC-B3TN-5, HC-B3MN-3, HC-B4TN-3, HC-B4TN-5, HC-B4MN-5, HC-B4MP-3, HC-B4MP-5, and HC-B5MP-3 Propellers

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for Hartzell Propeller Inc. models HC-B3TN-2, HC-B3TN-3, HC-B3TN-5, HC-B3MN-3, HC-B4TN-3, HC-B4TN-5, HC-B4MN-5, HC-B4MP-3, HC-B4MP-5, and HC-B5MP-3 propellers, installed with propeller mounting bolts, part number (P/N) B-3339. This AD requires initial and repetitive visual inspections and torque checks of certain manufacture lot numbers of propeller mounting bolts, P/N B-3339, and eventual removal from service of those bolts. This AD results from the discovery during routine

propeller installation that a bolt from a certain manufacture lot did not properly absorb the installation torque. This AD also results from the discovery that other bolts of the same part number from a different manufacture lot had material surface pitting. We are issuing this AD to prevent propeller attaching bolt failures or improperly secured propellers, which could lead to separation of the propeller from the airplane.

DATES: This AD becomes effective July 29, 2005. The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulations as of July 29, 2005.

We must receive any comments on this AD by September 12, 2005.

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 Hartzell Propeller Inc. Technical Publications Department, One Propeller Place, Piqua, OH 45356; telephone (937) 778-4200; fax (937) 778-4391, for the service information referenced in this AD.

FOR FURTHER INFORMATION CONTACT: Tim Smyth, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2300 East Devon Avenue, Des Plaines, IL 60018; telephone: (847) 294-7132; fax: (847) 294-7834.

SUPPLEMENTARY INFORMATION: Hartzell Propeller Inc. has informed us that recently during routine installation of a steel hub propeller, one of the propeller mounting bolts, P/N B-3339, did not properly absorb the installation torque. The suspect bolt was removed and examined. Hartzell Propeller Inc., found that the bolt does not have the proper material hardness as specified by the propeller type design requirements. That bolt was identified as part of LFC Manufacturing Lot No. 56. Hartzell Propeller Inc., examined their inventory of bolts and found two other Lot No. 56

bolts also below proper material hardness. During this investigation, Hartzell Propeller Inc. also discovered a quantity of bolts, P/N B-3339, from LFC Manufacturing Lot No. 12, with material surface pitting underneath the anti-corrosion coating. These pitted bolts also do not meet the propeller type design requirements. This condition, if not corrected, could result in propeller mounting bolt failures or improperly secured propellers, which could lead to separation of the propeller from the airplane.

Relevant Service Information

We have reviewed and approved the technical contents of Hartzell Propeller Inc. Alert Service Bulletin (ASB) No. HC-ASB-61-279, Revision 2, dated May 6, 2005, that describes procedures to visually inspect, torque check, and replace the affected bolts.

FAA's Determination and Requirements of This AD

The unsafe condition described previously is likely to exist or develop on other Hartzell Propeller Inc. models HC-B3TN-2, HC-B3TN-3, HC-B3TN-5, HC-B3MN-3, HC-B4TN-3, HC-B4TN-5, HC-B4MN-5, HC-B4MP-3, HC-B4MP-5, and HC-B5MP-3 propellers of the same type design, installed with propeller mounting bolts, P/N B-3339. For that reason, we are issuing this AD to prevent propeller mounting bolt failures or improperly secured propellers, which could lead to separation of the propeller from the airplane. This AD requires:

- Initial visual inspection and torque check of all eight mounting flange bolts when P/N B-3339 bolts from LFC manufacturing Lot No. 12 or Lot No. 56 are present, within 50 hours time-in-service (TIS) or 12 months after the effective date of the AD, whichever occurs first; and
- Thereafter, for all airplanes except Aerospatiale (Nord) Model 262(A) airplanes modified by STC SA2369SW, repetitive torque checks on all eight mounting flange bolts when P/N B-3339 bolts from LFC Manufacturing Lot No. 12 or Lot No. 56 are present, within 120 hours TIS since-last-inspection; and
- Thereafter, for Aerospatiale (Nord) Model 262(A) airplanes modified by STC SA2369SW, repetitive torque checks on all eight mounting flange bolts when P/N B-3339 bolts from LFC Manufacturing Lot No. 12 or Lot No. 56 are present, within 100 hours TIS since-last-inspection; and
- If any bolt fails the torque check, replacement of all eight bolts with P/N B-3339 bolts that are not from LFC Manufacturing Lot No. 12 or Lot No. 56,

or with FAA-approved equivalent part number bolts.

- As mandatory terminating action to the repetitive visual inspections and torque checks required by this AD, replacement of all P/N B-3339, LFC Manufacturing Lot No. 12 and Lot No. 56 bolts with P/N B-3339 bolts that are not from LFC Manufacturing Lot No. 12 or Lot No. 56, or with FAA-approved equivalent part number bolts, within 12 months after the effective date of this AD.

You must use the service information described previously to perform the visual inspections, torque checks, and bolt replacements required by this AD.

FAA's Determination of the Effective Date

Since an unsafe condition exists that requires the immediate adoption of this AD, we have found that notice and opportunity for public comment before issuing this AD are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

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-2005-21735; Directorate Identifier 2005-NE-22-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 Docket Management System (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 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility (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 facility 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**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

- Under the authority delegated to me by the Administrator, the Federal Aviation

Administration amends part 39 of the Federal Aviation Regulations (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:

2005-14-12 Hartzell Propeller Inc.:

Amendment 39-14189. Docket No. FAA-2005-21735; Directorate Identifier 2005-NE-22-AD.

Effective Date

- (a) This airworthiness directive (AD) becomes effective July 29, 2005.

Affected ADs

- (b) None.

Applicability

- (c) This AD applies to Hartzell Propeller Inc. models HC-B3TN-2, HC-B3TN-3, HC-B3TN-5, HC-B3MN-3, HC-B4TN-3, HC-B4TN-5, HC-B4MN-5, HC-B4MP-3, HC-B4MP-5, and HC-B5MP-3 propellers installed with propeller mounting bolts, part number (P/N) B-3339. These propellers are installed on, but not limited to, the airplanes listed in the following Table 1:

TABLE 1.—AIRPLANES THAT PROPELLERS ARE INSTALLED ON, BUT NOT LIMITED TO

ADVANCED AERO & STRUCTURES, INC. 450.

AEROCOMMANDER:

680T, 680V, 681, 690, 690A, 690B, 690C, 695, 695A.

AEROSPATIALE (SOCATA):

TB-31 (Non U.S. type certificated (TC'd) product).

AIR TRACTOR:

AT-300, AT-301, AT-302, AT-400, AT-401, AT-402, AT-402A, AT-402B, AT-501, AT-502, AT-502A, AT-502B, AT-503, AT-503A, AT-602, AT-802.

AMERICAN AVIATION (GRUMMAN):

G-164, G-164B, G-164B-15T, G-164B-34T, G-164D.

AYRES:

S-2R, S-2R-R1340, S-2R-R3S, S-2R-G1, S-2R-G5, S-2R-G6, S-2R-G10, S-2R-T6, S-2R-T11, S-2R-T15, S-2R-T34, S-2R-T45, S-2R-T65, S-2RHG-T65.

BAE 137.

BEECH (Raytheon):

(D, E)18 (C, S), (T, C)45(G, H, J), and E18S-9700 (with turbine conversions), 100, A100, A100A, B100, 1900C, 200(T), 200C(T), B200(T), B200C(T), 300, 300LW, B300, 65-90, -A90, -A90-1, -A90-2, -A90-4, B90, C90, C90A, E90, F90, H90, 99, 99A, A99, A99A, B99, C99, A36 and A36TC (with turbine conversions), 34C, T34C, T34C-1.

CASA:

C-212-CB, C-212-CC, C-212-CF-CF.

CESSNA:

208, 208A, 208B, 402, 421B, 421C, 425, 441, P210N (with turbine conversions).

DE HAVILLAND DH114.

DE HAVILLAND CANADA:

DHC-2, DHC-2 MKIII, DHC-3, DH6-1, DHC-6-100, DHC-6-200, DHC-6-300.

DORNIER:

128-6, DO228-100, -101, -200, -201, -202, -212.

DOUGLAS DC-3C (with turbine conversions).

EMBRAER:

EMB-110-P1, -P2, EMB-111, EMB-121A1, EMB-312 (Non U.S. TC'd product).

ENAER T-35-TX (Non U.S. TC'd product).

FAIRCHILD AIRCRAFT:

TABLE 1.—AIRPLANES THAT PROPELLERS ARE INSTALLED ON, BUT NOT LIMITED TO—Continued

SA226-AT, -T, -TB, -TC.
 FAIRCHILD-HILLER (PILATUS) AU-23 (Non U.S. TC'd product).
 FLUG & FAHRZEUGWERKE AG AS202/32TP (Non U.S. TC'd product).
 FUJI KM-2D (T-5) (Non U.S. TC'd product).
 GRUMMAN S-2 (with turbine conversions).
 GRUMMAN (GULFSTREAM AERO) G73 (with turbine conversions).
 GRUMMAN (MCKINNON) G21E, G (with turbine conversions).
 HAFEI AVIATION INDUSTRY CO.
 Y12, Y12IV (Non U.S. TC'd product).
 HELIO:
 HST-550, -550A.
 ICA (ROMANIA) IAR-825TP (Non U.S. TC'd product).
 ISRAEL AIRCRAFT INDUSTRIES:
 101, 101B.
 KOREAN AEROSPACE INDUSTRIES KTX-IT (Non U.S. TC'd product).
 MAULE:
 M-7-420, MX (T)-7-420.
 MITSUBISHI:
 MU-2B, MU-2B-10, -15, -20, -25, -26, -30, -35, -36, -40, -60, MU-2B-25A, -26A, -35A, -36A.
 NORD 262 (FRAKES), and (NORD) Model 262(A) modified by Supplemental Type Certificate (STC) SA2369SW.
 NORMAN AEROPLANE:
 NA 6, NAC 6-65 (Non U.S. TC'd product).
 POLISH AVIATION (MIELEC):
 M-28, M-28B.
 PACIFIC AEROSPACE FU24(A)-950/-954.
 PACIFIC AEROSPACE (FLETCHER):
 FU-24 CRESCO 08-600, FU-24 CRESCO 08-750XL.
 PIAGGIO P-166 DL3.
 PILATUS:
 PC-6/A-H2, PC-6/B-H2, PC-6/B1-H2, PC-6/B2-H2, PC-6/B2-H4, PC-6/C-H2, PC-6/C1-H2, PC-7.
 PIPER:
 PA-31P, PA-31T, PA-31T1, PA-31T2, PA-31T3, PA-42, PA-42-720, PA-42-720R.
 PROP JETS INC. 400 (Non U.S. TC'd product).
 PZL MIELEC:
 M18, M18A, M18B, M27, PZL-106BT, PZL-130TE.
 ROCKWELL OV-10.
 SCHWEIZER (GRUMMAN) G-164, G-164A and G-164B (with turbine conversions).
 SHORT BROTHERS:
 SC7 SERIES 3, SD3-30 VARIANT 200, SD3-SHERPA VARIANT 200, SD3-60 VARIANT 200, SD3-60 SHERPA VARIANT 200.
 SIAI MARCHETTI (AERMACCHI):
 F.260C, F.260D, SM-1019, SF600 CANGURO.
 VALMET L-90TP (Non U.S. TC'd product).
 VULCANAIR (PARTENAVIA):
 AP68TP-300, AP68TP-600.
 WALLAROO 605 (Non U.S. TC'd product).
 WEATHERLY 620TP.

Unsafe Condition

(d) This AD results from the discovery during routine propeller installation that a bolt from a certain manufacture lot did not properly absorb the installation torque. This AD also results from the discovery that other bolts of the same part number from a different certain manufacture lot had material surface pitting. We are issuing this AD to prevent propeller mounting bolt failures or improperly secured propellers, which could lead to separation of the propeller from 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.

Visual Inspections and Torque Checks

(f) Perform initial visual inspection and torque check of all eight mounting flange bolts when P/N B-3339 bolts from LFC manufacturing Lot No. 12 or Lot No. 56 are

present, within 50 hours time-in-service (TIS) or 12 months after the effective date of the AD, whichever occurs first. For the location of bolt identification marks, see Figure 1 of Hartzell Propeller Inc. Alert Service Bulletin (ASB) No. HC-ASB-61-279, Revision 2, dated May 6, 2005.

(g) Thereafter, for all airplanes except Aerospatiale (Nord) Model 262(A) airplanes modified by STC SA2369SW, perform repetitive torque checks on all eight mounting flange bolts when P/N B-3339 bolts from LFC Manufacturing Lot No. 12 or Lot No. 56 are present, within 120 hours TIS since-last-inspection.

(h) Thereafter, for Aerospatiale (Nord) Model 262(A) airplanes modified by STC SA2369SW, perform repetitive torque checks on all eight mounting flange bolts when P/N B-3339 bolts from LFC Manufacturing Lot No. 12 or Lot No. 56 are present, within 100 hours TIS since-last-inspection.

(i) If any bolt fails the torque check, replace all eight bolts with P/N B-3339 bolts that are not from LFC Manufacturing Lot No. 12 or

Lot No. 56, or with FAA-approved equivalent part number bolts.

(j) Perform the actions specified in paragraphs (f), (g), (h), and (i) of this AD, using paragraphs 3.A through 3.B.(5) of the Accomplishment Instructions of Hartzell Propeller Inc. ASB No. HC-ASB-61-279, Revision 2, dated May 6, 2005.

Mandatory Terminating Action

(k) As mandatory terminating action to the repetitive visual inspections and torque checks required by this AD, replace all P/N B-3339, LFC Manufacturing Lot No. 12 and Lot No. 56 bolts with P/N B-3339 bolts that are not from LFC Manufacturing Lot No. 12 or Lot No. 56, or with FAA-approved equivalent part number bolts, within 12 months after the effective date of this AD. Use paragraph 3.C of Accomplishment Instructions of Hartzell Propeller Inc. ASB No. HC-ASB-61-279, Revision 2, dated May 6, 2005, to do the bolt replacement.

Alternative Methods of Compliance

(l) 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

(m) AD 2004-21-01, Amendment 39-13822 (69 FR 60952) also pertains to the subject of this AD.

Material Incorporated by Reference

(n) You must use Hartzell Propeller Inc. Alert Service Bulletin No. HC-ASB-61-279, and Alert Service Bulletin Appendix No. HC-ASBA-61-279, Revision 2, dated May 6, 2005, to perform the initial and repetitive visual inspections, torque checks, and bolt replacements required by this AD. The Director of the Federal Register approved the incorporation by reference of this service bulletin in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Hartzell Propeller Inc. Technical Publications Department, One Propeller Place, Piqua, OH 45356; telephone (937) 778-4200; fax (937) 778-4391, for a copy of this service information.

You may review copies at the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001, on the internet at <http://dms.dot.gov>, 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.

Issued in Burlington, Massachusetts, on July 6, 2005.

Francis A. Favara,

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

[FR Doc. 05-13733 Filed 7-13-05; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF THE INTERIOR**Bureau of Indian Affairs****25 CFR Part 124**

RIN 1076-AE74

Deposit of Proceeds From Lands Withdrawn for Native Selection

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Final rule.

SUMMARY: This rule implements provisions of the American Indian Trust Fund Management Reform Act of 1994 by revising the regulations governing proceeds from public lands withdrawn for Native selection under the Alaska Native Claims Settlement Act.

DATES: This rule is effective on July 14, 2005.

FOR FURTHER INFORMATION CONTACT:

Assistant Director, Office of Trust Regulations, Policies and Procedures, by telephone at (505) 816-1086, or by facsimile transmission at (505) 816-1377.

SUPPLEMENTARY INFORMATION: This rule is published by the authority of the Secretary, granted under 43 U.S.C. 1601 *et seq.* and 25 U.S.C. 4001 *et seq.*, and delegated to the Assistant Secretary—Indian Affairs 209 DM 8.1.

Background

The Alaska Native Claims Settlement Act (ANCSA) was created to address the need for a fair and just settlement of all claims by Natives and Native groups of Alaska, based upon aboriginal land claims. It allows certain Alaskan Natives and Native Corporations to select lands to be withdrawn from public lands. Until proper title can be conveyed, the proceeds derived from contracts, leases, permits, and rights of way or easements pertaining to the affected lands will be escrowed. This regulation provides contact information to be used by all Departments and Agencies, the State of Alaska, and any other interested parties for deposit information. This regulation is published by the Assistant Secretary—Indian Affairs in consultation with the Special Trustee for American Indians under the provisions of the American Indian Trust Fund Management Reform Act of 1994.

Determination To Issue a Final Rule

The Department of the Interior has determined that the public notice and comment provisions of the Administrative Procedure Act, 5 U.S.C. 553(b), do not apply because of the good cause exception under 5 U.S.C. 553(b)(3)(B), which allows the agency to suspend the notice and public procedure when the agency finds for good cause that those requirements are impractical, unnecessary and contrary to the public interest. This rule updates references to Department of the Interior offices and simplifies and clarifies language; it makes no substantive changes. For these reasons public comments are unnecessary and good cause exists for publishing this change as a final rule effective immediately.

Procedural Requirements

Regulatory Planning and Review (Executive Order 12866)

In accordance with the criteria in Executive Order 12866, this rule is not a significant regulatory action because:

(a) This rule will not have an annual economic effect of \$100 million or adversely affect an economic sector,

productivity, jobs, the environment, or other units of government. A cost-benefit and economic analysis is not required. This regulation merely provides contact information to be used by all Departments and Agencies and the State of Alaska for deposit information.

(b) This rule will not create inconsistencies with other Agencies' actions. This regulation merely provides contact information to be used by all Departments and Agencies and the State of Alaska for deposit information.

(c) This rule will not materially affect entitlements, grants, user fees, loan programs, or the rights and obligations of their recipients. This regulation merely provides contact information to be used by all Departments and Agencies and the State of Alaska for deposit information.

(d) This rule will not raise novel legal or policy issues. This regulation merely provides contact information to be used by all Departments and Agencies and the State of Alaska for deposit information.

Regulatory Flexibility Act

The Department of the Interior certifies that this rule will not have a significant economic effect on a substantial number of small entities as defined under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This regulation provides contact information to be used by all Departments and Agencies and the State of Alaska for deposit information. Accordingly, a Small Entity Compliance Guide is not required.

Small Business Regulatory Enforcement Fairness Act

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule:

(a) Does not have an annual effect on the economy of \$100 million or more. The deposit of proceeds for a one year period do not add up to \$100 million.

(b) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. This regulation provides contact information to be used by all Departments and Agencies and the State of Alaska for deposit information.

(c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.