

from those previously issued. Because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

#### List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

#### The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the supplemental type certification basis for the Raytheon Model HS.125 Series 600A airplane, S/N 256066, modified by LJSC Ltd.

1. *Protection from Unwanted Effects of HIRF.* Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions:* Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on September 29, 2005.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 05-20175 Filed 10-6-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 13 CFR Part 71

[Docket No. FAA-2005-21703; Airspace Docket No. 05-ACE-19]

#### Modification of Class D and Class E Airspace; Topeka, Forbes Field, KS

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

**ACTION:** Direct final rule; request for comments; correction.

**SUMMARY:** This action corrects an error in the legal description of Class D airspace in a direct final rule, request for comments that was published in the **Federal Register** on Tuesday, July 12, 2005 (70 FR 39914).

**DATES:** This direct final rule is effective on 0901 UTC, October 27, 2005.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2524.

#### SUPPLEMENTARY INFORMATION:

##### History

Federal Register Document 2005-21703 published on Tuesday, July 12, 2005 (70 FR 39914), modified Class D and Class E Airspace at Topeka, Forbes Field, KS. The phrase "This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory." was incorrectly deleted from the legal description of Class D airspace. This action corrects that error.

■ Accordingly, pursuant to the authority delegated to me, the error in the legal description of Class D Airspace, Topeka, Forbes Field, KS as published in the **Federal Register** Tuesday July 12, 2005 (70 FR 39914), (FR Doc. 2005-21703), is corrected as follows:

##### § 71.1 [Corrected]

On page 39915, Column 2, at the end of the legal description of ACE KS D Topeka, Forbes Field, KS, add the phrase "This Class D airspace area is effective during the specific dates and times established in advance by the Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory."

Issued in Kansas City, MO, on September 16, 2005.

**Anthony D. Roetzel,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 05-20179 Filed 10-6-05; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA-2005-22600; Airspace Docket No. 05-AWP-11]

RIN 2120-AA66

#### Change of Controlling Agency for Restricted Areas; HI

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

**ACTION:** Final rule.

**SUMMARY:** This action changes the controlling agency of Restricted Areas R-3101 PMRFAC Four, R-3103 Humuula, R-3107 Kaula Rock, R-3109A, B & C Schofield-Makua, Oahu, and R-3110A, B & C Schofield-Makua, Oahu, HI. The FAA is taking this action to reflect an administrative change of controlling agencies for the restricted areas. There are no changes to the boundaries; designated altitudes; time of designation; or activities conducted within the affected restricted areas.

**EFFECTIVE DATE:** 0901 UTC, December 22, 2005.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

##### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 73 by changing the name of the controlling agency for R-3101 PMRFAC Four, R-3103 Humuula, R-3107 Kaula Rock, R-3109A, B & C Schofield-Makua, Oahu, R-3110A, B & C Schofield-Makua, Oahu, HI, from "FAA, Honolulu CERAP or FAA, Honolulu ATCT" to "FAA, Honolulu Control Facility." The FAA is taking this action to reflect an administrative change of controlling agencies for the restricted areas. There are no changes to the boundaries; designated altitudes; time of designation; or activities conducted within the affected restricted areas. Therefore, notice and public procedures under 5 U.S.C. 553(b) are unnecessary.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures." This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73, as follows:

#### PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 73.23 [Amended]

■ 2. Section 73.23 is amended as follows:

\* \* \* \* \*

#### R-3101 PMRFAC Four, HI [Amended]

By removing the words "Controlling agency. FAA, Honolulu CERAP." and inserting the words "Controlling agency. FAA, Honolulu Control Facility."

\* \* \* \* \*

#### R-3103 Humuula, HI [Amended]

By removing the words "Controlling agency. FAA, Honolulu CERAP." and inserting the words "Controlling agency. FAA, Honolulu Control Facility."

\* \* \* \* \*

#### R-3107 Kaula Rock, HI [Amended]

By removing the words "Controlling agency. FAA, Honolulu CERAP." and inserting the words "Controlling agency. FAA, Honolulu Control Facility."

\* \* \* \* \*

#### R-3109A Schofield-Makua, Oahu, HI [Amended]

By removing the words "Controlling agency. FAA, Honolulu ATCT." and inserting the words "Controlling agency. FAA, Honolulu Control Facility."

\* \* \* \* \*

#### R-3109B Schofield-Makua, Oahu, HI [Amended]

By removing the words "Controlling agency. FAA, Honolulu ATCT." and inserting the words "Controlling agency. FAA, Honolulu Control Facility."

\* \* \* \* \*

#### R-3109C Schofield-Makua, Oahu, HI [Amended]

By removing the words "Controlling agency. FAA, Honolulu ATCT." and inserting the words "Controlling agency. FAA, Honolulu Control Facility."

\* \* \* \* \*

#### R-3110A Schofield-Makua, Oahu, HI [Amended]

By removing the words "Controlling agency. FAA, Honolulu ATCT." and inserting the words "Controlling agency. FAA, Honolulu Control Facility."

\* \* \* \* \*

#### R-3110B Schofield-Makua, Oahu, HI [Amended]

By removing the words "Controlling agency. FAA, Honolulu ATCT." and inserting the words "Controlling agency. FAA, Honolulu Control Facility."

\* \* \* \* \*

#### R-3110C Schofield-Makua, Oahu, HI [Amended]

By removing the words "Controlling agency. FAA, Honolulu ATCT." and inserting the words "Controlling agency. FAA, Honolulu Control Facility."

\* \* \* \* \*

Issued in Washington, DC, on October 3, 2005.

**Edith V Parish,**

*Acting Manager, Airspace and Rules.*

[FR Doc. 05–20279 Filed 10–6–05; 8:45 am]

**BILLING CODE 4910–13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[CGD13–05–037]

RIN 1625–AA00

#### Safety Zone Regulations, Downed Aircraft, Browns Bay, WA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the waters of Puget Sound around the body and debris of a helicopter. The Coast Guard is establishing this zone to ensure unencumbered access for rescuers and investigators, and protect the public from numerous dangers associated with recovery of this submerged aircraft. Entry into this zone is prohibited unless authorized by the Captain of the Port, Puget Sound or his designated representatives.

**DATES:** This rule is effective from 4 p.m. (PDT) October 3, 2005 until 8 a.m. (PDT) October 17, 2005 unless sooner cancelled by the Captain of the Port.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket CGD13–05–037 and are available for inspection or copying at the Waterways Management Division, Coast Guard Sector Seattle, 1519 Alaskan Way South, Seattle, WA, 98134, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** LTJG Jes Hagen, c/o Captain of the Port Puget Sound, 1519 Alaskan Way South, Seattle, Washington 98134, (206) 217–6040.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B) and 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for not publishing an NPRM and for making this rule effective less than 30 days after publication in the **Federal Register**. Publishing a NPRM would be contrary to public interest since immediate action is necessary to ensure the safety of vessels and persons that transit in the vicinity of the submerged helicopter in Browns Bay, WA. If normal notice and comment procedures were followed, this rule would not become effective until after the date of the event.