

## Adoption of the Amendment

■ Accordingly, pursuant to 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. Section 39.13 is amended by adding the following new airworthiness directive:

#### 2004-13-04 Short Brothers PLC:

Amendment 39-13685. Docket 2003-NM-235-AD.

**Applicability:** Model SD3-SHERPA series airplanes, except those that have embodied Short Brothers Service Bulletin SD3 SHERPA-32-4, dated July 2003; certificated in any category.

**Compliance:** Required as indicated, unless accomplished previously.

To detect and correct corrosion and abnormal wear to the top and bottom shear decks, which could result in damage to the main landing gear (MLG) and consequent reduced controllability of the airplane on landing, accomplish the following:

#### Repetitive Inspections

(a) Within 6 months after the effective date of this AD, and continuing at intervals not to exceed 6 months, perform a detailed inspection of the stub wing shear decks to detect corrosion and/or abnormal wear according to the Accomplishment Instructions of Short Brothers Service Bulletin SD3 SHERPA-53-6, dated May 2003.

**Note 1:** For the purposes of this AD, a detailed inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required."

#### Repair

(b) If any corrosion and/or abnormal wear is discovered during the inspection required by paragraph (a) of this AD, before further flight, perform corrective actions in accordance with the Accomplishment Instructions of Short Brothers Service Bulletin SD3 SHERPA-53-6, dated May 2003, Part B and/or Part C as applicable; except where the service bulletin specifies that operators should contact the manufacturer for disposition of certain repair conditions, before further flight, repair those conditions per a method approved by the Manager, International Branch, ANM-116,

Transport Airplane Directorate, FAA; or the UK-CAA (or its delegated agent).

#### Optional Terminating Action

(c) Performance of the optional terminating action, which includes replacement of the retaining pin and circlip with a new retaining pin, washer, castellated nut, and cotter pin, per the Accomplishment Instructions of Short Brothers Service Bulletin SD3 SHERPA-32-4, dated July 2003, terminates the requirement for repetitive detailed inspections specified in paragraph (a) of this AD.

#### No Reporting Requirement

(d) Operators should note that, although Short Brothers Service Bulletin SD3 SHERPA-32-4, dated May 2003, describes procedures for reporting inspection results to the manufacturer, this AD does not require that action.

#### Alternative Methods of Compliance

(e) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, is authorized to approve alternative methods of compliance for this AD.

#### Incorporation by Reference

(f) Unless otherwise specified in this AD, the actions shall be done in accordance with Short Brothers Service Bulletin SD3 SHERPA-53-6, dated May 2003; and Short Brothers Service Bulletin SD3 SHERPA-32-4, dated July 2003; as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Short Brothers, Airworthiness & Engineering Quality, P.O. Box 241, Airport Road, Belfast BT3 9DZ, Northern Ireland. Copies may be inspected at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; 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).

**Note 2:** The subject of this AD is addressed in British airworthiness directive 004-05-2003, dated August 2003.

#### Effective Date

(g) This amendment becomes effective on July 29, 2004.

Issued in Renton, Washington, on June 16, 2004.

#### Ali Bahrami,

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

[FR Doc. 04-14179 Filed 6-23-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD01-04-063]

#### Drawbridge Operation Regulations: Taunton River, MA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations and request for comment.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary 90-day deviation from the drawbridge operation regulations to test an alternate drawbridge operation regulation for the Brightman Street Bridge, at mile 1.8, across the Taunton River between Fall River and Somerset, Massachusetts. Under this temporary 90-day deviation the draw need not open for pleasure craft traffic from 7 a.m. to 9:30 a.m. and from 4 p.m. to 6:30 p.m., Monday through Friday, July 1, 2004 through September 28, 2004. The draw shall open for vessels engaged in commercial service on signal at all times. The purpose of this temporary deviation is to test an alternate drawbridge operation schedule for 90-days and solicit comment from the public.

**DATES:** This deviation is effective from July 1, 2004 through September 28, 2004. Comments must reach the Coast Guard on or before October 15, 2004.

**ADDRESSES:** You may mail comments to Commander (obr), First Coast Guard District Bridge Branch, 408 Atlantic Avenue, Boston, Massachusetts, 02110, or deliver them to the same address between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223-8364. The First Coast Guard District, Bridge Branch, maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the First Coast Guard District, Bridge Branch, 7 a.m. to 3 p.m., Monday through Friday, except Federal holidays.

#### Request for Comments

We encourage you to participate in this test deviation by submitting comments or related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD01-04-063), indicate the specific section of this

document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know if they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period in deciding whether to propose a permanent schedule change.

**FOR FURTHER INFORMATION CONTACT:** John McDonald, Project Officer, First Coast Guard District, at (617) 223-8364.

**SUPPLEMENTARY INFORMATION:** The Brightman Street Bridge has a vertical clearance in the closed position of 27 feet at mean high water and 31 feet at mean low water. The existing drawbridge operation regulations are listed at 33 CFR 117.619(b).

The Town of Somerset, Massachusetts, and the Massachusetts State Police asked the Coast Guard and the bridge owner Massachusetts Highway Department for assistance with vehicular traffic delays resulting from unregulated bridge openings at the Brightman Street Bridge.

The Coast Guard in response to the above request is temporarily changing the drawbridge operation regulations for 90-days to test an alternate drawbridge operation schedule.

Under this temporary 90-day deviation the bridge need not open for pleasure craft traffic from 7 a.m. to 9:30 a.m. and from 4 p.m. to 6:30 p.m., Monday through Friday, July 1, 2004 through September 28, 2004. Commercial vessel traffic shall be passed on signal at all times.

This action is expected to provide relief to the vehicular traffic delays while still meeting the reasonable needs of navigation.

This deviation from the operating regulations is authorized under 33 CFR 117.43.

Dated: June 10, 2004.

**John L. Grenier,**

*Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.*  
[FR Doc. 04-14370 Filed 6-23-04; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[CGD01-04-033]

RIN 1625-AA09

#### Drawbridge Operation Regulations: Hutchinson River, NY

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard has temporarily changed the drawbridge operation regulations that govern the Pelham Parkway Bridge, mile 0.4, across the Hutchinson River, New York. This temporary final rule allows the bridge owner to require a thirty-minute advance notice for bridge openings between 6 a.m. and 7 p.m. from July 25, 2004 through May 1, 2005. This action is necessary to facilitate bridge painting operations.

**DATES:** This rule is effective from July 25, 2004 through May 1, 2005.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket (CGD01-04-033) and are available for inspection or copying at the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston, Massachusetts, 02110, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. John McDonald, Project Officer, First Coast Guard District, (617) 223-8364.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

On May 4, 2004, we published a notice of proposed rulemaking (NPRM) entitled Drawbridge Operation Regulations; Hutchinson River, New York, in the *Federal Register* (69 FR 24548). We received no comments in response to the notice of proposed rulemaking. No public hearing was requested and none was held.

##### Background and Purpose

The Pelham Parkway Bridge has a vertical clearance of 13 feet at mean high water and 20 feet at mean low water in the closed position. The existing operating regulations listed at 33 CFR § 117.793(a), requires the draw to open on signal at all times.

The owner of the bridge, New York City Department of Transportation, requested a thirty-minute advance notice for bridge openings at the Pelham

Parkway Bridge between 6 a.m. and 7 p.m. from July 1, 2004 through May 1, 2005, to facilitate bridge painting operations at the bridge.

This temporary final rule is necessary to facilitate the safe removal of construction personnel and equipment from the bridge after a request to open the bridge is received.

##### Discussion of Comments and Changes

The Coast Guard received no comments in response to the notice of proposed rulemaking. We have changed the effective date for this final rule from July 1, 2004, to July 25, 2004. This action was necessary to allow this rulemaking to become effective in not less than 30 days after publication in the *Federal Register*. The notice of proposed rulemaking was delayed and not published until May 4, 2004, necessitating this change in effective date.

##### Regulatory Evaluation

This rule is not a “significant regulatory action” under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3), of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not “significant” under the regulatory policies and procedures of the Department of Homeland Security (DHS).

This conclusion is based on the fact that the bridge will continue to open on signal for vessel traffic provided the thirty-minute notice is given.

##### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b), that this rule will not have a significant economic impact on a substantial number of small entities.

This conclusion is based on the fact that the bridge will continue to open on signal for vessel traffic provided the thirty-minute notice is given.

##### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121),