

**The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

**Pilatus Aircraft Ltd.:** Docket No. 2001–CE–24–AD

(a) *What airplanes are affected by this AD?* This AD affects Models PC–12 and PC–12/45 airplanes, all serial numbers, that are certificated in any category.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the above airplanes must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to prevent cracking at the edges of the unflanged lightening holes, which could result in major structural damage to the airplane. Such damage could result in possible loss of control of the airplane.

(d) *What actions must I accomplish to address this problem?* To address this problem, you must accomplish the following:

Actions	Compliance	Procedures
(1) For manufacturer serial numbers (MSN) 101 through 370, inspect the front and rear frames of the cargo door for lightening holes with plain rims.	Within the next 50 hours time-in-service (TIS) after the effective date of this AD.	In accordance the with Accomplishment Instructions section of Pilatus Service Bulletin No. 52–004, dated April 20, 2001.
(2) If, during the inspection required in paragraph (d)(1) of this AD, a plain rim is found, install a reinforcing plate.	Prior to further flight after the inspection required in paragraph (d)(1) of this AD.	In accordance with the Accomplishment Instructions section of Pilatus Service Bulletin No. 52–004, dated April 20, 2001.
(3) For all serial numbered airplanes, do not install any cargo door, part-number (P/N) 552.30.12.051 or P/N 552.30.12.052 (or FAA-approved equivalent part number), unless it is has been inspected as required in paragraph (d)(1) of this AD and modified as required in paragraph (d)(2) of this AD.	As of the effective date of this AD .....	In accordance with the Accomplishment Instructions section of Pilatus Service Bulletin No. 52–004, dated April 20, 2001.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

- (1) Your alternative method of compliance provides an equivalent level of safety; and
- (2) The Manager, Small Airplane Directorate, approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 1:** This AD applies to each airplane identified in paragraph (a) of this AD, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Doug Rudolph, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4059; facsimile: (816) 329–4090.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *How do I get copies of the documents referenced in this AD?* You may obtain copies of the documents referenced in this AD from Pilatus Aircraft Ltd., Customer Liaison Manager, CH–6371 Stans, Switzerland; or from Pilatus Business Aircraft Ltd., Product Support Department, 11755 Airport Way, Broomfield, Colorado 80021. You may examine these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

**Note 2:** The subject of this AD is addressed in Swiss AD HB 2001–389, dated June 25, 2001.

Issued in Kansas City, Missouri, on August 16, 2001.

**Michael K. Dahl,**  
*Acting Manager, Small Airplane Directorate,*  
*Aircraft Certification Service.*

[FR Doc. 01–21140 Filed 8–21–01; 8:45 am]

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**DEPARTMENT OF VETERANS AFFAIRS**

**38 CFR Part 3**  
**RIN 2900–AK03**

**State Department as Agent of Department of Veterans Affairs**

**AGENCY:** Department of Veterans Affairs.  
**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to amend the Department of Veterans Affairs (VA) regulation that authorizes

diplomatic and consular officers of the State Department to act as agents of VA. The intended effect of this amendment is to present the existing regulation in “plain language”.

**DATES:** Comments must be received on or before October 22, 2001.

**ADDRESSES:** Mail or hand deliver written comments to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Ave., NW, Room 1154, Washington, DC 20420; or fax comments to (202) 273–9289; or e-mail comments to [OGCRegulations@mail.va.gov](mailto:OGCRegulations@mail.va.gov). Comments should indicate that they are submitted in response to “RIN 2900–AK03”. All comments received will be available for public inspection at the above address in the Office of Regulations Management, Room 1158, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays).

**FOR FURTHER INFORMATION CONTACT:** Bob White, Team Leader, Plain Language Regulations Project, Veterans Benefits Administration, 810 Vermont Avenue, NW, Washington, DC 20420. Telephone: 202/273–7228 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** VA proposes to rewrite 38 CFR 3.108 in plain language. This regulation authorizes diplomatic and consular officers of the State Department to act as agents of VA. It is currently located in

Subpart A of Part 3. We propose to create a new § 3.2125 to restate the current regulation. The proposed section would be located in Subpart D, Universal Adjudication Rules That Apply to Benefit Claims Governed by Part 3 of This Title.

Paragraph (a) of proposed § 3.2125 would authorize State Department diplomatic and consular officers to accept informal and formal claims filed in a foreign country. It would also authorize them to accept evidence submitted in support of those claims. Paragraph (b) would provide that such claims and evidence will be considered to be filed with VA on the date they are received by a State Department officer. This restates the text currently found at 38 CFR 3.108. No substantive changes have been made.

This rulemaking reflects VA's goal of making government more responsive, accessible, and comprehensible to the public. The Plain Language Regulations Project was developed as a long-term comprehensive project to reorganize and rewrite in plain language the adjudication regulations in Part 3 of Title 38, Code of Federal Regulations. This proposed rule is part of a series of proposed revisions to those regulations.

#### Unfunded Mandates

The Unfunded Mandates Reform Act, Public Law 104-4, March 22, 1995, requires (in section 202) that agencies prepare an assessment of anticipated costs and benefits before developing any rule that may result in an expenditure by State, local, or tribal governments, in the aggregate, or by the private sector of \$100 million or more in any given year. This proposed rule will have no consequential effect on State, local, or tribal governments.

#### Paperwork Reduction Act

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501-3520).

#### Regulatory Flexibility Act

The Secretary certifies that the adoption of this proposed rule would not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. The proposed rule will not directly affect any small entities. Only VA beneficiaries could be directly affected. Therefore, pursuant to 5 U.S.C. 605(b), this amendment is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

#### Catalog of Federal Domestic Assistance Program Numbers

The Catalog of Federal Domestic Assistance program numbers for this document are 64.102, 64.104, 64.105, 64.109, 64.110, and 64.127.

#### List of Subjects in 38 CFR Part 3

Administrative practice and procedure, Claims, Disability benefits, Health care, Pensions, Veterans, Vietnam.

Approved: August 14, 2001.

**Anthony J. Principi,**

*Secretary of Veterans Affairs.*

For the reasons set forth in the preamble, VA proposes to amend 38 CFR Part 3 as follows:

### PART 3—ADJUDICATION

#### Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

1. The authority citation for Part 3, Subpart A continues to read as follows:

**Authority:** 38 U.S.C. 501(a), unless otherwise noted.

#### § 3.108 [Removed]

2. Section 3.108 is removed.

#### Subpart D—Universal Adjudication Rules That Apply to Benefit Claims Governed by Part 3 of This Title

3. The authority citation for Part 3, Subpart D continues to read as follows:

**Authority:** 38 U.S.C. 501(a), unless otherwise noted.

4. New § 3.2125 is added under the undesignated center heading "GENERAL" to read as follows:

#### § 3.2125 How can I file a claim if I live outside of the United States?

(a) Diplomatic and consular officers of the State Department are authorized to act as agents for the Department of Veterans Affairs (VA). Officers at U.S. Embassies and Consulates may accept formal and informal claims filed in foreign countries. They may also accept evidence submitted in support of those claims. (See 38 CFR 3.202.)

(b) Claims and evidence are considered filed with VA on the date they are received by a State Department officer.

(Authority: 38 U.S.C. 5106)

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[PA-4147b; FRL-7040-3]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; NO<sub>x</sub> RACT Requirements for Four Individual Sources in the Pittsburgh-Beaver Valley Area

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revisions submitted by the Commonwealth of Pennsylvania to establish and require reasonably available control technology (RACT) related requirements to limit nitrogen oxides (NO<sub>x</sub>) from four sources. In the Final Rules section of this **Federal Register**, EPA is approving the Commonwealth's SIP revisions as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. The rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if adverse comment is received for a specific source or subset of sources covered by an amendment, section or paragraph of this rule, only that amendment, section or paragraph of that source or subset of sources will be withdrawn.

**DATES:** Comments must be received in writing by September 21, 2001.

**ADDRESSES:** Written comments should be addressed to David L. Arnold, Chief, Air Quality Planning and Information Services Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103;