

| Actions                                                                                                                                                                                                                                                                                                                                            | Compliance                                                                                                                                                                                                        | Procedures                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) Inspect the LH and RH upper longeron cutout-bridge, part number (P/N) PC-23102.IX), for cracks.                                                                                                                                                                                                                                                | Upon accumulating 1,000 hours time-in-service (TIS) on the upper longeron or within the next 100 hours TIS after March 16, 1998 (the effective date of AD 98-03-14), whichever occurs later, unless already done. | Follow EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: A, Date: January 12, 1994; or EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: B, Date: June 10, 1998.       |
| (2) If you find any cracks in the upper longeron cutout-bridge during the inspection required in paragraph (e)(1) of this AD, do the following:<br>(i) repair any cracks; and<br>(ii) modify the upper longeron cutout-bridge.                                                                                                                     | Before further flight after the inspection required in paragraph (e)(1) of this AD, unless already done.                                                                                                          | Follow EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: A, Date: January 12, 1994; or EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: B, Date: June 10, 1998.       |
| (3) If you do not find any cracks in the upper longeron cutout-bridge during the inspection required in paragraph (e)(1) of this AD, you must still modify the upper longeron cutout-bridge.                                                                                                                                                       | Before further flight after the inspection required in paragraph (e)(1) of this AD, unless already done.                                                                                                          | Follow EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: A, Date: January 12, 1994; or EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: B, Date: June 10, 1998.       |
| (4) If you modified the upper longeron cutout-bridge following EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: A, Date: January 12, 1994, or EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: B, Date: June 10, 1998, Procedure I, you do not need to do any further actions. | As of February 28, 2005 (the effective date of this AD).                                                                                                                                                          | As stated in EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: A, Date: January 12, 1994, or EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: B, Date: June 10, 1998. |
| (5) If you modified the upper longeron cutout-bridge following Procedure II of EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: B, Date: June 10, 1998, you must replace the new internal bridges every 1,000 hours TIS.                                                                                         | As of February 28, 2005 (the effective date of this AD).                                                                                                                                                          | As stated in EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: B, Date: June 10, 1998.                                                                                                                  |

#### May I Request an Alternative Method of Compliance?

(f) You may request a different method of compliance or a different compliance time for this AD by following the procedures in 14 CFR 39.19. Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the Manager, Standards Office, Small Airplane Directorate, FAA. For information on any already approved alternative methods of compliance, contact Karl Schletzbaum, Aerospace Engineer, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, MO 64106; telephone: (816) 329-4146; facsimile: (816) 329-4090.

#### Is There Other Information That Relates to This Subject?

(g) German AD Number D-1994-043R1, dated May 17, 2004, also addresses the subject of this AD.

#### Does This AD Incorporate Any Material by Reference?

(h) You must do the actions required by this AD following the instructions in EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: A,

Date: January 12, 1994; or EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: B, Date: June 10, 1998.

(1) On March 16, 1998 (63 FR 5881, February 5, 1998) and in accordance with 5 U.S.C. 552(a) and 1 CFR part 51, the Director of the Federal Register approved the incorporation by reference of EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: A, Date: January 12, 1994.

(2) As of February 28, 2005, and in accordance with 5 U.S.C. 552(a) and 1 CFR part 51, the Director of the Federal Register approved the incorporation by reference of EXTRA Flugzeugbau GmbH Service Bulletin EA-300 & EA-300/S Doc: SB-300-3-93, Issue: B, Date: June 10, 1998.

(3) To get a copy of this service information, contact EXTRA Flugzeugbau GmbH, Flugplatz Dinslaken, D-46569 Hünxe, Germany. 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 NARA, 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) or call (202) 741-6030. To view the AD docket, go

to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001 or on the Internet at <http://dms.dot.gov>. The docket number is FAA-2004-19443.

Issued in Kansas City, Missouri, on January 5, 2005.

**William J. Timberlake,**  
*Acting Manager, Small Airplane Directorate,  
Aircraft Certification Service.*

[FR Doc. 05-607 Filed 1-18-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2004-19583; Airspace  
Docket No. 04-ACE-73]

#### Modification of Class E Airspace; Coffeyville, KS

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

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

**SUMMARY:** This action amends Title 14 Code of Federal Regulations, part 71 (14 CFR 71) by revising Class E airspace at Coffeyville, KS. A review of controlled airspace for Coffeyville Municipal Airport revealed it does not comply with the criteria for 700 feet above ground level (AGL) airspace required for diverse departures. The area is modified and enlarged to conform to the criteria in FAA Orders.

**DATES:** This direct final rule is effective on 0901 UTC, May 12, 2005. Comments for inclusion in the Rules Docket must be received on or before March 2, 2005.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2004-19583/Airspace Docket No. 04-ACE-73, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

**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:** This amendment to 14 CFR part 71 modifies the Class E airspace area extending upward from 700 feet above the surface at Coffeyville, KS. An examination of controlled airspace for Coffeyville Municipal Airport revealed it does not meet the criteria for 700 feet AGL airspace required for diverse departures as specified in FAA Order 7400.2E, Procedures for Handling Airspace Matters. The criteria in FAA Order 7400.2E for an aircraft to reach 1200 feet AGL, taking into consideration rising terrain, is based on a standard climb gradient of 200 feet per mile plus the distance from the airport reference point to the end of the outermost runway. Any fractional part of a mile is converted to the next higher tenth of a mile. This amendment expands the airspace area from a 6.6-mile radius to a 7.6-mile radius of Coffeyville Municipal Airport,

eliminates the extension to the airspace area, deletes reference to the Coffeyville nondirectional radio beacon (NDB) in the legal description and brings the legal description of the Coffeyville, KS Class E airspace area into compliance with FAA Order 7400.2E. This area will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will be come effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those

comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2004-19583/Airspace Docket No. 04-ACE-73." The postcard will be date/time stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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 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.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Coffeyville Municipal Airport.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

■ Accordingly, the Federal Aviation administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 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.

#### **§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### **ACE KS E5 Coffeyville, KS**

Coffeyville Municipal Airport, KS  
(Lat 37°05'39" N., long. 95°34'19" W.)

That airspace extending upward from 700 feet above the surface within a 7.6-mile radius of Coffeyville Municipal Airport.

\* \* \* \* \*

Issued in Kansas City, MO, on January 3, 2005.

**Anthony D. Roetzel,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 05–971 Filed 1–18–05; 8:45 am]

**BILLING CODE 4910–13–M**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Part 165**

[CGD07–04–118]

**RIN 1625–AA87**

#### **Security Zone Regulations; St. Croix, United States Virgin Islands**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary security zone in the vicinity of the HOVENSA refinery facility in St. Croix, U.S. Virgin Islands. This security zone extends approximately 2 miles seaward from the HOVENSA facility waterfront area along the south coast of the island of St. Croix, U.S. Virgin Islands. This security zone is needed for national security reasons to protect the public and the HOVENSA facility from potential subversive acts. Vessels without scheduled arrivals must receive permission from the U.S. Coast Guard Captain of the Port San Juan prior to entering this temporary security zone.

**DATES:** This rule is effective from November 5, 2004, until May 15, 2005.

**ADDRESSES:** Documents indicated in this preamble as being available in the

docket, are part of docket [CGD07–04–118] and are available for inspection or copying at Sector San Juan, 5 Calle La Puntilla, San Juan, Puerto Rico between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

#### **FOR FURTHER INFORMATION CONTACT:**

Lieutenant Junior Grade Katiuska Pabon, Sector San Juan, Puerto Rico at (787) 289–0739.

#### **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), the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing an NPRM and delaying the rule's effective date would be contrary to the public interest. Immediate action is needed to protect the public, ports and waterways of the United States from potential subversive acts against the HOVENSA facility.

For the same reasons, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Similar regulations were published in the **Federal Register** on January 17, 2002 (67 FR 2332), September 13, 2002 (67 FR 57952), April 28, 2003 (68 FR 22296), July 10, 2003 (68 FR 41081), February 10, 2004 (69 FR 6150), and May 21, 2004 (69 FR 29232). We did not receive any comments on these regulations.

The Captain of the Port San Juan has determined that due to the continued risk and recent necessary increases in maritime security levels, the need for the security zone persists. While the Coast Guard intends to publish a notice of proposed rulemaking and permanent rule to ensure the security of this waterfront facility, this temporary final rule is required in the interim.

#### **Background and Purpose**

Based on the September 11, 2001, terrorist attacks and recent increases in maritime security levels, there is an increased risk that subversive activity could be launched by vessels or persons in close proximity to the HOVENSA refinery on St. Croix, USVI, against tank vessels and the waterfront facility. Given the highly volatile nature of the substances stored at the HOVENSA facility, this security zone is necessary to decrease the risk of subversive activity launched against the HOVENSA facility. The Captain of the Port San Juan is reducing this risk by prohibiting all vessels without a scheduled arrival from coming within approximately 2

miles of the HOVENSA facility, unless specifically permitted by the Captain of the Port San Juan or a designated representative. The Captain of the Port San Juan can be reached on VHF Marine Band Radio, Channel 16 (156.8 Mhz), or by calling (787) 289–2040, 24-hours-a-day, 7-days-a-week. The HOVENSA Facility Port Captain can be reached on VHF Marine Band Radio channel 11 (156.6 Mhz) or by calling (340) 692–3488, 24-hours-a-day, 7-days-a-week.

#### **Discussion of Rule**

The temporary security zone around the HOVENSA facility encompasses all waters within a line connecting the following coordinates: 17°41'31" N, 64°45'09" W, to 17°39'36" N, 64°44'12" W, to 17°40'00" N, 64°43'36" W, to 17°41'48" N, 64°44'25" W, and back to the beginning point. All vessels without a scheduled arrival into the HOVENSA facility are prohibited from coming within this security zone—that extends approximately 2 mile seaward from the facility, unless specifically permitted by the Captain of the Port San Juan or a designated representative.

#### **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 security zone covers an area that is not typically used by commercial vessel traffic, including fishermen, and vessels may be allowed to enter the zone on a case-by-case basis with the permission of the Captain of the Port San Juan or a designated representative.

#### **Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic effect upon 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 of 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 rule will affect the following