

object not on the FAA list must be established before FAA will complete processing of documents related to the Cape Town Treaty.

Acceptance of FAA Entry Point Filing Form—International Registry, AC 8050–135

The FAA Civil Aviation Registry was designated by Congress as the exclusive entry point for transmitting information to the International Registry as provided for in the Treaty. The Cape Town Treaty Implementation Act of 2004 (Pub. L. 108–297) directed the FAA to establish a system for filing notices of international and prospective international interests, and authorizing parties to transmit information to the International Registry. To implement these requirements, the Registry requires the submission of a completed FAA Entry Point Filing Form—International Registry, AC Form 8050–135, to issue an authorization code. This code allows for the transmission of information to the International Registry with respect to civil aircraft of the United States, aircraft assigned a U.S. identification number (for prospective interests only), and aircraft engines with a rated takeoff horsepower of at least 550. Pursuant to 14 CFR part 49 subpart F, the acceptance of the FAA Entry Point Filing Form—International Registry, AC 8050–135, does not indicate agreement with or acceptance of any representations on the form.

Irrevocable De-Registration and Export Request Authorization (IDERA)

The Protocol provides for the acceptance and recordation of an IDERA that is substantially in the form annexed to the Protocol. FAA will not accept an IDERA that is not substantially in the form annexed to the Protocol. FAA will not accept an IDERA that is not linked to a specific instrument on file with the FAA. If the IDERA is not attached to and made a part of the instrument it relates to, it must include sufficient detail to identify the instrument (*e.g.*, reference to a recorded conveyance by number) to which it is linked.

Acknowledgment of acceptance of an IDERA by FAA is demonstrated by (1) the recording of the instrument that the IDERA is attached to and made a part of, or (2) if not filed as part of the instrument, but filed at a later time, the IDERA will be stamped with an ID/date stamp of an FAA Legal Instruments Examiner.

Written Certification Regarding Registered Interests Ranking in Priority

A written certification made pursuant to 14 CFR part 47, § 47.47(a)(3), must

include the specific language contained in § 47.47(a)(3), in its entirety. However, a written certification made by the aircraft owner may be appropriately varied.

Additional Evidence To Deregister and Export Aircraft Subject to the Treaty

An authorized party under an IDERA on file with the FAA who requests deregistration and export of an aircraft must support the certification made under § 47.47(a)(3) by submitting a copy of the relevant International Registry Search Certificate along with evidence of the consent to export or discharge of lien from each registered lien holder ranking in priority to that of the requester, as evidenced by the Search Certificate.

An aircraft owner eligible to request deregistration and export of an aircraft subject to the Treaty must likewise support the certification made under § 47.47(a)(3) by submitting evidence of the consent to export or discharge of lien from each outstanding lien holder of any consensual lien on file in the aircraft record at the FAA.

The party requesting deregistration and export must be either the aircraft owner, as evidenced by documents on file at the FAA, or the authorized party under an IDERA on file at the FAA.

Issued in Oklahoma City, OK, on February 21, 2006.

Mark Lash,

Manager, Civil Aviation Registry.

[FR Doc. 06–1809 Filed 2–22–06; 3:55 pm]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2005–23075; Airspace Docket No. 05–ASO–12]

Establishment of Class E Airspace; Nicholasville, KY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Nicholasville, KY. Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAP) Runway (RWY) 9 and RWY 27 have been developed for Lucas Field Airport. As a result, controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to contain the SIAPs and for Instrument Flight Rules (IFR) operations at Lucas Field Airport.

The operating status of the airport will change from Visual Flight Rules (VFR) to include IFR operations concurrent with the publication of the SIAP.

DATES: *Effective Date:* 0901 UTC, June 8, 2006.

FOR FURTHER INFORMATION CONTACT:

Mark D. Ward, Manager, Airspace and Operations Branch, Eastern En Route and Oceanic Service Area, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–5586.

SUPPLEMENTARY INFORMATION:

History

On December 14, 2005, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by establishing Class E airspace at Nicholasville, KY, (70 FR 73959). This action provides adequate Class E airspace for IFR operations at Lucas Field Airport. Designations for Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in FAA Order 7400.9N, dated September 1, 2005, and effective September 16, 2005, which is incorporated by reference in 14 CFR part 71.1. The Class E designations listed in this document will be published subsequently in the Order.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) establishes Class E airspace at Nicholasville, KY.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration proposes to amend 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 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 16, 2005, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

* * * * *

ASO KY E5 Nicholasville, KY [NEW]
Lucas Field Airport, KY

(Lat. 37°52'16" N, long. 84°36'39" W)

That airspace extending upward from 700 feet above the surface within a 6.5-radius of Lucas Field Airport; excluding that airspace within the Lexington, KY, Class E airspace area.

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Issued in College Park, Georgia, on February 10, 2006.

Mark D. Ward,

Acting Area Director, Air Traffic Division, Southern Region.

[FR Doc. 06–1813 Filed 2–27–06; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF LABOR**Occupational Safety and Health Administration****29 CFR Parts 1926 and 1928**

[Docket No. S–270–A]

RIN 1218–AC15

Roll-Over Protective Structures

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Final rule; confirmation of effective date.

SUMMARY: OSHA is confirming the effective date of its direct final rule reinstating its original construction and agriculture standards that regulate the testing of roll-over protective structures used to protect employees who operate wheel-type tractors. The direct final rule stated that it would become effective on February 27, 2006 unless significant adverse comment was received by January 30, 2006. OSHA received only one comment on the direct final rule, which it has determined is not a significant adverse comment.

DATES: The direct final rule published on December 29, 2005 is effective February 27, 2006. For the purpose of judicial review, OSHA considers February 28, 2006 as the date of issuance.

FOR FURTHER INFORMATION CONTACT:

Press Inquiries: Kevin Ropp, OSHA Office of Communications, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693–1999.

General and technical information: Mark Hagemann, Acting Director, Office of Safety Systems, Directorate of Standards and Guidance, Occupational Safety and Health Administration, U.S. Department of Labor, Room N–3609, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693–2255.

ADDRESSES: In compliance with 28 U.S.C. 2112(a), OSHA designates the Associate Solicitor for Occupational Safety and Health as the recipient of petitions for review of the final standard. The Associate Solicitor may be contacted at the Office of the Solicitor, Room S–4004, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, telephone: (202) 693–5445.

SUPPLEMENTARY INFORMATION: On March 7, 1996, OSHA published a technical amendment in the **Federal Register** that revised a number of its standards, including the construction and agriculture standards that regulate testing of roll-over protective structures (“ROPS”) (61 FR 9228); employers use these structures to protect employees who operate wheel-type tractors. The revision removed the original, detailed ROPS-testing standards and referred instead to national consensus standards for substantive ROPS-testing requirements.

Several years after issuing the 1996 technical amendment, the Agency determined that differences existed between its original construction and agriculture ROPS standards and the ROPS standards adopted under the 1996 technical amendment, and that these

differences have a substantial impact on the regulated community. Based on this determination, OSHA found that reinstating the original OSHA standards through a direct final rule was necessary and appropriate; it published this direct final rule in the **Federal Register** on December 29, 2005 (70 FR 76979).

The Agency stated in the direct final rule that it would consider as significant adverse comments only those comments that addressed: (1) The lawfulness of the procedures used to promulgate the 1996 technical amendment as these procedures related to the ROPS testing provisions; and (2) whether a few minor revisions made to the original ROPS standards were unreasonable or inappropriate. OSHA received only one public comment on the direct final rule, which it has determined is not a significant adverse comment. The commenter recommended several technical clarifications to the original ROPS provisions and accompanying figures. The Agency will address these recommendations in a subsequent **Federal Register** notice. In the present notice, OSHA is confirming that the effective date for the December 29, 2005 direct final rule on ROPS is February 27, 2006. For purposes of judicial review, OSHA considers February 28, 2006 to be the date of issuance.

List of Subjects

29 CFR Part 1926

Construction industry, Motor vehicle safety, Occupational safety and health.

29 CFR Part 1928

Agriculture, Motor vehicle safety, Occupational safety and health.

Authority and Signature

This document was prepared under the direction of Jonathan L. Snare, Acting Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. The Agency is issuing this final rule under the following authorities: Sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); Section 3704 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701 *et seq.*); Secretary of Labor’s Order 5–2002 (67 FR 65008); and 29 CFR Part 1911.

Signed at Washington, DC on February 21, 2006.

Jonathan L. Snare,

Acting Assistant Secretary of Labor.

[FR Doc. 06–1835 Filed 2–27–06; 8:45 am]

BILLING CODE 4510–26–P