

## Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

## Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify that this AD:

- (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) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

## List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

## Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

**2006-14-06 Airbus:** Amendment 39-14677.  
Docket No. FAA-2006-24367;  
Directorate Identifier 2006-NM-041-AD.

### Effective Date

- (a) This AD becomes effective August 11, 2006.

### Affected ADs

- (b) None.

### Applicability

- (c) This AD applies to Airbus Model A300 F4-605R and F4-622R airplanes and Model A300 C4-605R Variant F airplanes, certificated in any category; on which Airbus Modification 08909 has been done in production; except airplanes on which Airbus Modification 12980 has been done in production.

### Unsafe Condition

- (d) This AD results from an analysis that revealed that airplanes equipped with Airbus Modification 08909 had a concentration of loads higher than expected in the fuselage zone (high stress) at the lavatory venturi installation in the nose section, which could be the origin of cracks that developed in the fuselage skin and propagated from the edge of the air vent hole. We are issuing this AD to prevent fatigue cracking of the fuselage skin, which could result in loss of the structural integrity of the fuselage and consequent rapid depressurization of the airplane.

### Compliance

- (e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

### Modification/Investigative Action

- (f) Before the accumulation of 16,900 total flight cycles since first flight of the airplane: Modify the fuselage zone at the lavatory venturi installation area between frame (FR) 12 and FR 12A on the left-hand side of the nose section and do the related investigative action by accomplishing all the actions specified in the Accomplishment Instructions of Airbus Service Bulletin A300-53-6151, Revision 01, dated April 21, 2006.

### Corrective Action

- (g) If any crack is found during the inspection required by this AD and Airbus Service Bulletin A300-53-6151, Revision 01, dated April 21, 2006, specifies to contact Airbus for crack repair: Before further flight, repair the crack using a method approved by either the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (or its delegated agent).

### Acceptable for Compliance

- (h) Accomplishment of the actions required by paragraph (f) of this AD before

the effective date of this AD in accordance with Airbus Service Bulletin A300-53-6151, dated December 2, 2005, is acceptable for compliance with the requirements of paragraph (f) of this AD.

### Alternative Methods of Compliance (AMOCs)

- (i)(1) The Manager, International Branch, ANM-116, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

- (2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

### Related Information

- (j) French airworthiness directive F-2006-030, dated February 1, 2006, also addresses the subject of this AD.

### Material Incorporated by Reference

- (k) You must use Airbus Service Bulletin A300-53-6151, Revision 01, dated April 21, 2006, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Room PL-401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the 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).

Issued in Renton, Washington, on June 28, 2006.

**Kalene C. Yanamura,**

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

[FR Doc. 06-6003 Filed 7-6-06; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 71

[Docket No. FAA-2005-20551; Airspace Docket No. 06-AAL-18]

RIN 2120-AA66

### Re-Designation of VOR Federal Airway V-431; Alaska

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

**ACTION:** Final rule.

**SUMMARY:** This action amends VOR Federal Airway V-431, Alaska. Specifically, the FAA is re-designating V-431 as V-593 because the V-431 designation is a duplicate number in the National Airspace System (NAS) and is causing problems with the Flight Data processors during route validation at the Anchorage Air Route Traffic Control Center.

**DATES:** *Effective Date:* 0901 UTC, September 28, 2006.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules, Office of System Operations and Safety, 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 71 by re-designating V-431 as V-593 because the V-431 designation is duplicated in the NAS and causes problems with the Flight Data processors during route validation at Anchorage Air Route Traffic Control Center. The route number change will coincide with the effective date of this rulemaking action. Since this action merely involves editorial change in the route number of the legal description of a Federal Airway, and does not involve a change in the dimensions or operating requirements of that airway, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Alaskan VOR Federal Airways are published in paragraph 6010(b) of FAA Order 7400.90 dated September 1, 2006, and effective September 16, 2006, which is incorporated by reference in 14 CFR 71.1. The Federal Airways listed in this document will be published subsequently in the Order.

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 proposed 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 amends 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE 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 FAA Order 7400.90, Airspace Designations and Reporting Points, dated September 1, 2006, and effective September 16, 2006, is amended as follows:

*Paragraph 6010(b)) Alaskan VOR Federal Airways.*

\* \* \* \* \*

**V-431 [Remove]**

\* \* \* \* \*

**V-593 [New]**

From Sisters Island, AK, INT Sisters Island 204° and Biorka Island 355° radials; Biorka Island, AK.

\* \* \* \* \*

Issued in Washington, DC, on June 29, 2006.

**Edith V. Parish,**

*Manager, Airspace and Rules.*

[FR Doc. E6-10676 Filed 7-6-06; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 121**

**[Docket No.: FAA-2004-19835: Amendment No. 61-114, 63-34, 65-47, 67-19, 91-291, 121-325, 135-105]**

**RIN 2120-AH82**

**Disqualification for Airman and Airman Medical Certificate Holders Based on Alcohol Violations or Refusals to Submit to Drug and Alcohol Testing; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document makes a correction to the final rule published in the **Federal Register** on June 21, 2006 (71 FR 35760). That rule changed the airman medical certification standards to disqualify an airman based on an alcohol test result of 0.04 or greater breath alcohol concentration (BAC) or a refusal to take a drug or alcohol test required by the Department of Transportation (DOT) or a DOT agency.

**DATES:** These amendments become effective July 21, 2006.

**FOR FURTHER INFORMATION CONTACT:** Sherry M. de Vries, (202) 267-8693.

**Correction**

In the final rule FR Doc. E6-9814, on page 35765, correct the second paragraph from the bottom of the second column to read as follows:

**Appendix J to Part 121 [Corrected]**

■ 22. Amend section V of Appendix J to Part 121 by revising paragraph D.1 to read as follows and removing and reserving paragraph D.2:

*D. Notice of Refusals*

1. Each covered employer must notify the FAA within 2 working days of any employee who holds a certificate issued under part 61, part 63, or part 65 of this chapter who has refused to submit to a drug test required under this appendix. Notification must be sent to: Federal Aviation Administration, Office of Aerospace Medicine, Drug Abatement Division (AAM-800), 800 Independence Avenue, SW., Washington, DC 20591, or by fax to (202) 267-5200.

\* \* \* \* \*

Issued in Washington, DC, on June 30, 2006.

**Brenda D. Courtney,**

*Acting Director, Office of Rulemaking.*

[FR Doc. E6-10588 Filed 7-6-06; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 100**

**[CGD 07-06-107]**

**RIN 1625-AA08**

**Special Local Regulations: Suncoast Offshore Grand Prix; Gulf of Mexico, Sarasota, FL**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** This rule temporarily suspends the permanent special local