

**Conditional Requirements for Immediate Inspection**

(g) Notwithstanding the requirements of paragraph (f) of this AD: Before further flight following removal of any parts identified in paragraphs (g)(1), (g)(2), and (g)(3) of this AD, perform the inspection specified in paragraph (f) of this AD. The task numbers below are identified in EMBRAER Aircraft Maintenance Manuals AMM-145/1124 and AMM-145/1230.

(1) The horizontal stabilizer (as specified in EMBRAER Airplane Maintenance Manual (AMM) task number 55-10-00-000-801-A).

(2) The horizontal stabilizer actuator (as specified in AMM task number 27-40-02-000-801-A).

(3) The left-hand or right-hand seal fairings (as specified in AMM task number 55-36-00-020-002-A00).

(h) Before further flight following a lightning strike, perform a "Lightning Strike—Inspection Check" and applicable corrective actions, per AMM task number 05-50-01-06.

**Note 3:** Following accomplishment of an inspection per paragraph (g) or (h) of this AD, the repetitive interval of the next inspection may be extended to 800 flight hours after accomplishment of the inspection required by paragraph (g) or (h) of this AD, as applicable.

**Reporting Requirement**

(i) At the applicable time specified in paragraph (i)(1) or (i)(2) of this AD: Submit a report of the results (both positive and negative findings) of each inspection required by paragraphs (f), (g), and (h) of this AD to CTA-IFI-FDH, PO Box 6001, 12231-970—São José dos Campos-SP, Brazil; fax 55 (12) 3941-4766. Each report must include the inspection results, a description of any discrepancy found, the airplane serial number, and the number of total flight cycles and flight hours on the airplane. Information collection requirements contained in this AD have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

(1) For airplanes on which the initial inspection required by paragraph (f), (g), or (h) of this AD is accomplished AFTER the effective date of this AD: Submit the report for that inspection within 30 days after the initial inspection, and submit a report thereafter within 30 days after each subsequent inspection.

(2) For airplanes on which the initial inspection required by paragraph (f), (g), or (h) of this AD was accomplished BEFORE the effective date of this AD: Submit the report within 30 days after the effective date of this AD, and submit a report thereafter within 30 days after each subsequent inspection.

**Alternative Methods of Compliance**

(j) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance

Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

**Note 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

**Special Flight Permits**

(k) Special flight permits may be issued per sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

**Incorporation by Reference**

(l) Except as required by paragraphs (g) and (h) of this AD: The actions must be done per EMBRAER Alert Service Bulletin 145-55-A025, dated June 5, 2001; and EMBRAER Alert Service Bulletin 145-55-A028, dated April 10, 2002; as applicable.

(1) The incorporation by reference of EMBRAER Alert Service Bulletin 145-55-A028, dated April 10, 2002, is approved by the Director of the Federal Register, per 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The incorporation by reference of EMBRAER Alert Service Bulletin 145-55-A025, dated June 5, 2001, was approved previously by the Director of the Federal Register as of September 5, 2001 (66 FR 43768, August 21, 2001).

(3) Copies may be obtained from Empresa Brasileira de Aeronautica S.A. (EMBRAER), PO Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 5:** The subject of this AD is addressed in Brazilian emergency airworthiness directive 2001-06-03 R1, dated April 11, 2002.

**Effective Date**

(m) This amendment becomes effective on May 16, 2002.

Issued in Renton, Washington, on April 19, 2002.

**Lirio Liu-Nelson,**

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

[FR Doc. 02-10275 Filed 4-30-02; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 02-ASO-4]

**Establishment of Class D Airspace; Greenville Donaldson Center, SC, Amendment of Class E2 Airspace; Greer, Greenville-Spartanburg Airport, SC, and Amendment of Class E5 Airspace; Greenville, SC**

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class D airspace at Greenville Donaldson Center, SC, and amends Class E5 airspace at Greenville, SC. A federal contract tower with a weather reporting system is being constructed at the Donaldson Center Airport. Therefore, the airport meets the criteria for establishment of Class D airspace. Class D surface area airspace is required when the control tower is open to contain existing Standard Instrument Approach Procedures (SIAPs) and other Instrument Flight Rules (IFR) operations at the airport. This action establishes Class D airspace extending upward from the surface to and including 3,500 feet MSL within a 4.2-mile radius of the Donaldson Center Airport. A regional evaluation has determined the existing Class E5 airspace area should be amended to contain the Nondirectional Radio Beacon (NDB) or Global Positioning System (GPS) Runway (RWY) 5 SIAP. As a result, additional controlled airspace extending upward from 700 feet Above Ground Level (AGL) southwest of Donaldson Center Airport is needed to contain the SIAP. This action also makes a technical amendment to Class E2 airspace at Greer, Greenville-Spartanburg Airport, SC, and the Class E5 airspace description at Greenville, SC, by changing the name of the Greenville-Spartanburg Airport to the Greenville-Spartanburg International Airport.

**EFFECTIVE DATE:** 0901 UTC, November 28, 2002.

**FOR FURTHER INFORMATION CONTACT:** Walter R. Cochran, Manager, Airspace Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5586.

**SUPPLEMENTARY INFORMATION:****History**

On March 12, 2002, the FAA proposed to amend part 71 of the

Federal Aviation Regulations (14 CFR part 71) by establishing Class D airspace at Greenville Donaldson Center, SC, amending Class E2 airspace at Greer, Greenville-Spartanburg Airport, SC, and amending the Class E5 airspace at Greenville, SC (67 FR 11068). Class D airspace designations for airspace areas extending upward from the surface of the earth and Class E airspace designations for airspace areas designated as surface areas and airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraphs 5000, 6002, and 6005 respectively, of FAA Order 7400.9J, dated August 31, 2001, and effective September 16, 2001, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace 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 D airspace at Greenville Donaldson Center, SC, amends Class E2 Airspace at Greer, Greenville-Spartanburg, SC, and amends Class E5 airspace at Greenville, SC.

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. 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 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, CLASS B, CLASS C, CLASS D AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

### ASO SC D Greenville Donaldson Center Airport, SC [NEW]

Greenville, Donaldson Center Airport, SC

(Lat. 34°45'30, long. 82°22'35"W)

Greenville Downtown Airport

(Lat. 34°50'52, long. 82°21'00"W)

Greenville-Spartanburg International Airport

(Lat. 34°53'44, long. 82°13'08"W)

That airspace extending upward from the surface to and including 3,500 feet MSL within a 4.2-mile radius of Donaldson Center Airport, excluding that airspace within the Greenville Downtown Airport Class D airspace area, and excluding that airspace within the Greenville-Spartanburg International Airport Class C airspace area. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Airport/Facility Directory.

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*Paragraph 6002 Class E Airspace Designated as Surface Areas*

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### ASO SC E2 Greer, Greenville-Spartanburg International Airport, SC [REVISED]

Greenville-Spartanburg International Airport, SC

(Lat. 34°53'44, long. 82°13'08"W)

Within a 5-mile radius of the Greenville-Spartanburg International Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Director.

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

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### ASO SC E5 Greenville, SC [REVISED]

Greenville Downtown Airport, SC

(Lat. 34°50'52, long. 82°21'00"W)

Greenville-Spartanburg International Airport

(Lat. 34°53'44, long. 82°13'08"W)

Donaldson Center Airport

(Lat. 34°45'30, long. 82°22'35"W)

DYANA NDB

(Lat. 34°41'28, long. 82°26'37"W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Greenville Downtown Airport and within a 10-mile radius of Greenville-Spartanburg International Airport and within a 6.7-mile radius of Donaldson Center Airport and within 4 miles northwest and 8 miles southeast of the 224° bearing from the DYANA NDB extending from the 6.7-mile radius to 16 miles southwest of the Donaldson Center Airport.

\* \* \* \* \*

Dated: Issued in College Park, Georgia, on April 19, 2002.

**Wade T. Carpenter,**

*Acting Manager, Air Traffic Division, Southern Region.*

[FR Doc. 02–10646 Filed 4–30–02; 8:45 am]

BILLING CODE 4910–13–M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

### 33 CFR Part 165

[COTP Houston–Galveston–02–006]

RIN 2115–AA97

### Security Zones; Ports of Houston and Galveston, TX

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing temporary moving security zones around cruise ships entering and departing the ports of Houston and Galveston, Texas. These security zones are needed for the safety and security of these vessels. Entry into these zones is prohibited, unless authorized by the Captain of the Port, Houston–Galveston or his designated representative.

**DATES:** This rule is effective from 12 a.m. (noon) on April 8, 2002 through 6 a.m. on June 15, 2002.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket, are part of docket [COTP Houston–Galveston–02–006] and are available for inspection or copying at Marine Safety Office Houston—Galveston, 9640 Clinton Drive, Galena Park, TX, 77547 between 8 a.m. and 3:30 p.m., Monday through Friday, except Federal holidays.

### FOR FURTHER INFORMATION CONTACT:

Lieutenant Junior Grade (LTJG) George Tobey, Marine Safety Office Houston—Galveston, Texas, Port Waterways Management, at (713) 671–5100.