

**Credit for Original Service Bulletin**

(f) Accomplishment of the applicable actions specified in this AD before the effective date of this AD per Bombardier Alert Service Bulletin A8-28-33, dated June 3, 2002, is acceptable for compliance with the corresponding requirements of this AD.

**Exception to Service Bulletin Reporting**

(g) Although the service bulletin referenced in this AD specifies to report inspection findings to the airplane manufacturer, this AD does not include that requirement.

**Alternative Methods of Compliance**

(h) In accordance with 14 CFR 39.19, the Manager, New York ACO, FAA, is authorized to approve alternative methods of compliance for this AD.

**Incorporation by Reference**

(i) Unless otherwise specified in this AD, the actions shall be done in accordance with Bombardier Alert Service Bulletin A8-28-33, Revision "A," dated October 10, 2002. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, 123 Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, suite 410, Westbury, New York; or at the National Archives and Records Administration (NARA). For information on the availability of this material at 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).

**Note 2:** The subject of this AD is addressed in Canadian airworthiness directive CF-2002-44, dated October 22, 2002.

**Effective Date**

(j) This amendment becomes effective on October 13, 2004.

Issued in Renton, Washington, on August 26, 2004.

**Kevin M. Mullin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 04-20207 Filed 9-7-04; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[CGD13-04-031]

RIN 1625-AA00

**Security and Safety Zone: Protection of Large Passenger Vessels, Portland, OR**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule; notice of enforcement.

**SUMMARY:** The Captain of the Port Portland, OR will begin, on August 11, 2004, enforcing the Large Passenger Vessel Security and Safety Zones that were published in the **Federal Register** on September 12, 2003. The zones provide for the security and safety of large passenger vessels in the navigable waters of Portland, OR and adjacent waters. These security and safety zones will be enforced until further notice.

**DATES:** 33 CFR 165.1318 will be enforced commencing August 11, 2004.

**FOR FURTHER INFORMATION CONTACT:** LTjg B. Audirsch, c/o Captain of the Port Portland, OR 6767 North Basin Avenue Portland, OR 97217 at (503) 240-9301 to obtain information concerning enforcement of this rule.

**SUPPLEMENTARY INFORMATION:** On September 12, 2003, the Coast Guard published a final rule (68 FR 53677) establishing regulations in 33 CFR 165.1318 for the security and safety of large passenger vessels in the navigable waters of Portland, OR and adjacent waters, of Oregon and Washington. These security and safety zones provide for the regulation of vessel traffic in the vicinity of certain large passenger vessels (as defined by the final rule) and exclude persons and vessels from the immediate vicinity of these large passenger vessels. Entry into these zones is prohibited unless otherwise exempted or excluded under the final rule or unless authorized by the Captain of the Port or his designee. The Captain of the Port Portland will begin enforcing the Large Passenger Vessel Safety and Security Zones established in 33 CFR 165.1318 on August 11, 2004. The Captain of the Port may be assisted by other Federal, State, or local agencies in enforcing this security zone.

Dated: August 11, 2004.

**Paul D. Jewell,**

*Captain, U.S. Coast Guard, Captain of the Port, Portland, OR.*

[FR Doc. 04-20328 Filed 9-7-04; 8:45 am]

**BILLING CODE 4910-15-P**

**DEPARTMENT OF DEFENSE****Department of the Army; Corps of Engineers****33 CFR Part 277****Water Resources Policies and Authorities: Navigation Policy: Cost Apportionment of Bridge Alterations; Correction**

**AGENCY:** Army Corps of Engineers, DoD.  
**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the rule published May 30, 1979 on cost apportionment of bridge alterations. This correcting amendment deletes references to Corps of Engineers and U.S. Coast Guard guidance that no longer exists or has been superseded, provides correct references to current Corps and Coast Guard guidance, and makes it clearer that the Corps of Engineers and the Coast Guard each has its own implementing procedures for cost apportionment of bridge alterations.

**DATES:** Effective June 30, 2004.

**FOR FURTHER INFORMATION CONTACT:** Harry Kitch, CECW-CP (202) 761-4127, Kirby Fowler CECW-PC/SAD (202) 761-1765, Headquarters, U.S. Army Corps of Engineers, Washington, DC.

**SUPPLEMENTARY INFORMATION:** 33 CFR part 277 contains the Corps of Engineers implementing guidance for apportioning costs of bridge alterations made as part of Civil Works projects accomplished under Corps of Engineers authorities. The primary purpose of this correcting amendment is to make it more clear within the text of 33 CFR part 277 that the Corps of Engineers and the U.S. Coast Guard maintain separate cost apportionment implementing procedures, and that each agency uses its own implementing procedures under its respective authorities.

In addition, since 33 CFR part 277 has not been revised since its publication in the **Federal Register** in 1979, some internal Corps guidance documents referenced in 33 CFR part 277 have changed, as has a referenced U.S. Coast Guard guidance document. These references are updated. A few Corps terms of self-reference are updated.

The change at § 277.6, Basic Policies, paragraph (a), is merely to remove a

parenthetical reference to an Engineering Regulation that no longer exists.

The change at § 277.7, Coordination with the U.S. Coast Guard, is to remove the parenthetical instruction to see the referenced Engineering Pamphlet for a copy of a Corps-Coast Guard Memorandum of Agreement. The Pamphlet has been revised and it no longer contains a copy of the agreement. Reference to the Pamphlet is retained as it continues to list the agreement as being in force.

#### List of Subjects in 33 CFR Part 277

Bridges, Navigation (water).

■ Accordingly, 33 CFR part 277 is corrected by making the following correcting amendments:

#### PART 277—WATER RESOURCES POLICIES AND AUTHORITIES: NAVIGATION POLICY: COST APPORTIONMENT OF BRIDGE ALTERATIONS

■ 1. The authority citation for part 277 continues to read as follows:

**Authority:** Sec. 2, River and Harbor Act of 1920, 41 Stat. 1009, June 5, 1920; 33 U.S.C. 547.

■ 2. Revise § 277.2 to read as follows:

##### § 277.2 Applicability.

This regulation applies to all HQUSACE elements and all USACE Commands having Civil Works responsibilities. For bridges altered under U.S. Coast Guard authority pursuant to the Truman-Hobbs Act (33 U.S.C. 511–524), the U.S. Coast Guard regulations codified at 33 CFR part 116 apply.

■ 3. Revise paragraphs (c), (d), and (e) of § 277.3 to read as follows:

##### § 277.3 References.

\* \* \* \* \*

(c) Coast Guard reference: COMDT (G–OPT–3), Exemplification-Principles of Apportionment of Cost for Alteration of Obstructive Bridges under the Provisions of Act of Congress June 21, 1940 (as amended); File No. 16592.

(d) ER 1105–2–100.

(e) EP 1165–2–2 Appendix C.

■ 4. Revise paragraph (a) of § 277.6 to read as follows:

##### § 277.6 Basic policies.

(a) The cost apportionment principles of 33 U.S.C. 516 are applicable to the costs of bridge alterations recommended by reporting officers in the interest of navigation during preauthorization planning, including studies conducted

under the Continuing Authorities Program.

\* \* \* \* \*

■ 5. Revise § 277.7 to read as follows:

##### § 277.7 Coordination with the U.S. Coast Guard.

In accordance with an agreement signed by the Chief of Engineers on 18 April 1973 (EP 1165–2–2), reporting officers shall consult with the Coast Guard on contemplated and recommended navigation improvements which involve the consideration of bridge alterations. Determination of navigational requirements for horizontal and vertical clearances of bridges across navigable waters is a responsibility of the Coast Guard. The Chief of Engineers shall coordinate preauthorization feasibility reports, which include recommended bridge alterations, with the Commandant, U.S. Coast Guard.

Dated: August 27, 2004.

**Don T. Riley,**

*Brigadier General, U.S. Army, Director of Civil Works.*

[FR Doc. 04–20346 Filed 9–7–04; 8:45 am]

**BILLING CODE 3710–92–P**

#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 52

[VA160–5083; FRL–7808–8]

##### Approval and Promulgation of Air Quality Implementation Plans; Virginia; Update to Materials Incorporated by Reference

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

**ACTION:** Final rule; Notice of administrative change.

**SUMMARY:** EPA is updating the materials submitted by The Commonwealth of Virginia that are incorporated by reference (IBR) into the State implementation plan (SIP). The regulations affected by this update have been previously submitted by the State agency, the Virginia Department of Environmental Quality, and approved by EPA. This update affects the SIP materials that are available for public inspection at the National Archives and Records Administration (NARA), the Air and Radiation Docket and Information Center located at EPA Headquarters in Washington, DC, and the Regional Office.

**EFFECTIVE DATE:** This action is effective September 8, 2004.

**ADDRESSES:** SIP materials which are incorporated by reference into 40 CFR

part 52 are available for inspection at the following locations: Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution Avenue, NW., Room B108, Washington, DC 20460; or the National Archives and Records Administration (NARA). For information on the availability of this material at 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).

##### FOR FURTHER INFORMATION CONTACT:

Harold A. Frankford, (215) 814–2108 or by e-mail at [frankford.harold@epa.gov](mailto:frankford.harold@epa.gov).

**SUPPLEMENTARY INFORMATION:** The SIP is a living document which the State can revise as necessary to address the unique air pollution problems. Therefore, EPA from time to time must take action on SIP revisions containing new and/or revised regulations as being part of the SIP. On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference Federally-approved SIPs, as a result of consultations between EPA and the Office of the Federal Register (OFR). The description of the revised SIP document, IBR procedures and “Identification of plan” format are discussed in further detail in the May 22, 1997 **Federal Register** document. On April 21, 2000 (65 FR 21315), EPA published a **Federal Register** beginning the new IBR procedure for Virginia. In this document EPA is doing the following:

1. Announcing the first update to the IBR’d material.

2. Correcting typographical errors in the text of 40 CFR 52.2420(a).

3. Making corrections to the charts listed in paragraphs 52.2420(c), as described below:

a. General change to **Federal Register** citation in the “EPA Approval Date” column. For entries in the “EPA Approval Date” column where the EPA approval date is listed as “4/21/00,” the **Federal Register** citation is revised from “60 FR 21320” to “60 FR 21315.”

b. Chapter 20—Headings are added to indicate that this chapter is divided into two parts: Part I (Administrative) and Part II (Air Quality Programs).

c. Chapter 20, entries 5–20–220 and 5–20–230—The text in the “EPA approval date” column is revised to read “6/27/03, 68 FR 38191”.

d. Chapter 40, Part II—The titles for all Articles are revised.