(2) Is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) 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.

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 part 39 of the Federal Aviation Regulations (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 FAA amends § 39.13 by removing airworthiness directive (AD) 2013–02–51, Amendment 39–17366 (78 FR 12231, February 22, 2013), and adding the following new AD:

2013–08–12 The Boeing Company: Amendment 39–17436; Docket No. FAA–2013–0333; Directorate Identifier 2013–NM–080–AD.

(a) Effective Date

This AD is effective April 26, 2013.

(b) Affected ADs

This AD supersedes AD 2013–02–51, Amendment 39–17366 (78 FR 12231, February 22, 2013).

(c) Applicability

This AD applies to The Boeing Company Model 787–8 airplanes, certificated in any category; as identified in Boeing Alert Service Bulletin B787–81205–SB500003–00, Issue 001, dated April 19, 2013.

(d) Subject

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 24, Electrical Power.

(e) Unsafe Condition

This AD was prompted by recent incidents involving lithium ion battery failures that resulted in release of flammable electrolytes, heat damage, and smoke on two Model 787–8 airplanes. We are issuing this AD to minimize the occurrence of battery cell failures and propagation of such failures to other cells and to contain any flammable electrolytes, heat, and smoke released during a battery thermal event in order to prevent damage to critical systems and structures and the potential for fire in the electronics equipment bays.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Installation/Replacement

Before further flight: Install main battery and auxiliary power unit (APU) battery enclosures and environmental control system (ECS) ducts; and replace the main battery, APU battery, and their respective battery chargers; in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin B787–81205–SB500003–00, Issue 001, dated April 19, 2013.

(h) Maintenance Program Revision

Before further flight: Revise the maintenance program to incorporate Item No. 1b. in Section D, ''Airworthiness Limitations—Life Limits,'' of the Boeing 787 Airworthiness Limitations (AWLs) Document D011Z009–03–01, dated April 2013. This new item is the Systems Life-Limited Parts requirement for replacement of the main and APU battery enclosure vent burst discs.

(i) No Alternative Actions and Intervals

After accomplishing the revision required by paragraph (h) of this AD, no changes may be made to Item No. 1b. in Section D, ''Airworthiness Limitations—Life Limits,'' of the Boeing Model 787 Airworthiness Limitations (AWLs) Document D011Z009–03–01, dated April 2013, unless approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (j) of this AD.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in the Related Information section of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov*.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/ certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(k) Related Information

For more information about this AD, contact Robert Duffer, Manager, Systems and Equipment Branch, ANM–130S, Seattle Aircraft Certification Office, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; phone: (425) 917–6493; fax: (425) 917–6590; email: *robert.duffer@faa.gov*.

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Alert Service Bulletin B787–81205–SB500003–00, Issue 001, dated April 19, 2013.

(ii) Boeing 787 Airworthiness Limitations (AWLs) Document D011Z009–03–01, dated April 2013.

(3) For Boeing service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; phone: 206–544–5000, extension 1; fax: 206–766–5680; Internet: *https://www.myboeingfleet.com*.

(4) You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference 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/cfr/ibr-locations.html*.

Issued in Renton, Washington, on April 22, 2013.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–09990 Filed 4–25–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2013–0270]

Drawbridge Operation Regulation; Willamette River, Portland, OR

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Steel Bridge across the Willamette River, mile 12.1, at Portland, Oregon. This deviation is necessary to accommodate the Rose Festival Rock N Roll Half Marathon.

This deviation allows the upper deck of the Steel Bridge to remain in the closed position to facilitate safe movement of event participants.

DATES: This deviation is effective from 7:45 a.m. on May 19, 2013, to 1 p.m. on May 19, 2013.

ADDRESSES: The docket for this deviation, [USCG–2013–0270] is available at *http://www.regulations.gov*. Type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Randall Overton, Bridge Administrator, Coast Guard Thirteenth District; telephone 206–220–7282, email *Randall.D.Overton@uscg.mil.* If you have questions on viewing the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The City of Portland has requested that the upper deck of the Steel Bridge remain closed to and need not open for vessel traffic in order to facilitate safe efficient movement of event participants associated with the Rose Festival Rock N Roll Half Marathon. The Steel Bridge crosses the Willamette River at mile 12.1 and is a double-deck lift bridge with a lower lift deck and an upper lift deck which operate independent of each other. When both decks are in the down position the bridge provides 26 feet of vertical clearance above Columbia River Datum 0.0. When the lower deck is in the up position the bridge provides 71 feet of vertical clearance above Columbia River Datum 0.0. This deviation does not affect the operating schedule of the lower deck which opens on signal. Vessels which do not require an opening of the upper deck of the bridge may continue to transit beneath the bridge and, if needed, may obtain an opening of the lower deck of the bridge for passage during this closure period of the upper deck. Under normal conditions the upper deck of the Steel Bridge operates in accordance with 33 CFR 117.897(c)(3)(ii) which states that from 8 a.m. to 5 p.m. Monday through Friday one hour advance notice shall be given for draw openings and at all other times two hours advance notice shall be given to obtain an opening. This deviation period starts at 7:45 a.m. on May 19, 2013 and ends at 1 p.m. on May 19, 2013. The deviation allows the Steel Bridge upper deck to remain in the closed position and need not open for maritime traffic from 7:45 a.m. on May 19, 2013 to 1 p.m. on May 19, 2013. The bridge shall operate in accordance with 33 CFR 117.897 at all other times. Waterway usage on this stretch of the Willamette River includes vessels ranging from commercial tug and barge to small pleasure craft. Mariners will be notified and kept informed of the bridges' operational status via the Coast Guard Notice to Mariners publication and Broadcast Notice to Mariners as appropriate. The bridge will be required to open, if needed, for vessels engaged in emergency response operations during this closure period.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: April 16, 2013.

Randall D. Overton,

Bridge Administrator, Thirteenth Coast Guard District.

[FR Doc. 2013–09854 Filed 4–25–13; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2013–0208]

RIN 1625–AA00

Safety Zone; XA The Experimental Agency Fireworks, Pier 34, East River, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the navigable waters of the East River in the vicinity of Pier 34, Manhattan, NY. This temporary safety zone is necessary to protect spectators and vessels from the hazards associated with fireworks displays. This rule is intended to restrict all vessels from a portion of East River before, during, and immediately after the fireworks event.

DATES: This rule is effective on May 16, 2013 from 8:00 p.m. until 9:15 p.m.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2013–0208]. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov*, type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Ensign Kimberly Beisner, Sector New York, Waterways Management, U.S. Coast Guard; Telephone (718) 354–4163, Email *Kimberly.A.Beisner@uscg.mil*. If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking

A. Regulatory History and Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because sufficient information about the event was not received in time to publish a NPRM followed by a final rule before the effective date, thus making the publication of a NPRM impractical. The Coast Guard received the information about the event on February 20, 2013. The event sponsor was unwilling to delay the event since the event is being held in correlation with a film premiere event. Any delay encountered in this regulation's effective date by publishing a NPRM would be contrary to public interest, since immediate action is needed to provide for the safety of life and property on navigable waters from the hazards associated with fireworks including unexpected detonation and burning debris.