TABLE 1.—ACCEPTABLE SERVICE BULLETIN REVISIONS

Operators that have—	May take credit for compliance with—	If that action was done before the effective date of this AD in accordance with EMBRAER Service Bulletin—
Inspected the pitot-TAT relays and done applicable corrective actions.	Paragraph (a) of this AD	145–30–0032, Change 02, dated December 3, 2001; or Change 03, dated January 27, 2003.
Modified the seal	Paragraph (c) of this AD	145–30–0032, Change 02, dated December 3, 2001; or Change 03, dated January 27, 2003.
Installed protective sheets	Paragraph (d) of this AD	145–25–0211, dated April 27, 2001; Part I. 145–25–0211, Change 01, dated May 25, 2001; Part I. 145–25–0211, Change 02, dated June 17, 2001; Part I. 145–25–0211, Change 03, dated December 3, 2001; Part I. 145–25–0211, Change 04, dated February 6, 2002; Part I. 145–25–0211, Change 05, dated April 16, 2002; Part I. 145–25–0211, Change 06, dated December 26, 2002; Part I. 145–25–0211, Change 07, dated August 11, 2003; Part I. 145–30–0032, Change 02, dated December 3, 2001; Part III. 145–30–0032, Change 03, dated January 27, 2003; Part III.

Alternative Methods of Compliance

(f) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, is authorized to approve alternative methods of compliance for this AD.

Incorporation by Reference

(g) Unless otherwise specified in this AD, the actions must be done in accordance with EMBRAER Service Bulletin 145–30–0032, Change 04, dated August 11, 2003; and EMBRAER Service Bulletin 145–76–0003, dated April 22, 2002; as applicable. EMBRAER Service Bulletin 145–30–0032, Change 04, contains the following effective pages:

Page No.	Change level shown on page	Date shown on page
1, 2, 7, 8, 21, 22	04	August 11, 2003.
3–6, 9–20	02	December 3, 2001.

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 Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 2: The subject of this AD is addressed in Brazilian airworthiness directives 2001–05–01R2, dated April 22, 2003; and 2002–10–03, dated October 24, 2002.

Effective Date

(h) This amendment becomes effective on February 13, 2004.

Issued in Renton, Washington, on December 31, 2003.

Michael J. Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04–269 Filed 1–8–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003–SW–24–AD; Amendment 39–13423; AD 2004–01–09]

RIN 2120–AA64

Airworthiness Directives; Eurocopter France Model AS355E, F, F1, F2, and N Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) for the specified Eurocopter France (ECF) model helicopters that requires revising the Limitations section of the Rotorcraft Flight Manual (RFM) to prohibit using the landing light except for landing and takeoff until the 40 amp 10P1 and 10P2 contactors are replaced with 50 amp circuit breakers. Also, this amendment requires upgrading the electrical master boxes. This amendment is prompted by three reports of complete loss of electrical power generating systems, except for the direct battery power, due to a combination of high outside temperature and long flight duration with the landing light on that causes the nontemperature compensated trip switches to prematurely trip. The actions specified by this AD are intended to prevent failure of the helicopter power generator systems, loss of the use of flight instruments, and subsequent loss of control of the helicopter.

DATES: Effective February 13, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 13, 2004.

ADDRESSES: The service information referenced in this AD may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053–4005, telephone (972) 641–3460, fax (972) 641–3527. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Carroll Wright, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations and Guidance Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5120, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: A proposal to amend 14 CFR part 39 to include an AD for the specified ECF

model helicopters was published in the **Federal Register** on September 18, 2003 (68 FR 54688). That action proposed to require temporarily revising the Limitations section of the RFM to prohibit use of the landing light except for landing and takeoff by making pen and ink changes or adding a copy of the AD to the RFM. Also proposed was, within 6 months, or before the next instrument flight rule (IFR) flight, whichever occurs first, replacing nontemperature compensated 40-amp contactors 10P1 and 10P2 with temperature compensated 50-amp circuit breakers.

The Direction Generale De L'Aviation Civile (DGAC), the airworthiness authority for France, notified the FAA that an unsafe condition may exist on the specified ECF model helicopters. The DGAC advises of three reports of complete electrical power failure, except direct battery power, that occurred during flights with high outside air temperature (above 25 degrees Celsius) and use of the landing light for more than 1 hour. The failures were due to the disengagement of 40-ampere (amp) contactors (trip switches MP 1648) in the electrical power systems below their nominal threshold. These trip switches are not temperature compensated and accordingly may trip based on the internal temperature of the electrical master boxes.

Eurocopter has issued Service Telex No. 25.00.63, dated August 2, 2000 (Telex), specifying to not use the landing light outside the landing and takeoff phases and Alert Service Bulletin AS 355, No. 24.00.14, dated November 28, 2002, specifying an upgrade of the electrical master boxes on or before August 1, 2003. The DGAC classified these service bulletins as mandatory and issued AD Nos. 2000–339–060(A), dated August 23, 2000; 2000–339–060(A) R1, dated September 6, 2000; and 2000–339–060(A) R2, dated December 24, 2002, to ensure the continued airworthiness of these helicopters in France.

These helicopter models are manufactured in France and are type certificated for operation in the United States under the provisions of 14 CFR 21.29 and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of these type designs that are certificated for operation in the United States.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that this AD will:

- Affect 442 helicopters of U.S. registry,
- Take ½ work hour per helicopter to add information to the Limitations section of the RFM, and
- Take 4 hours to upgrade the electrical boxes.

The average labor rate is $65 per work hour. The required parts will cost approximately $1707. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $883,779.

The regulations adopted herein 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (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. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration 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. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

2004–01–09 Eurocopter France: Amendment 39–13423. Docket No. 2003–SW–24–AD.

Applicability: Model AS355E, F, F1, F2, and N helicopters, certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the electrical power generating systems, loss of the use of flight instruments, and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight and until you replace the circuit breakers in accordance with paragraph (b) of this AD, revise the Limitations section of the Rotorcraft Flight Manual (RFM) to prohibit use of the landing light except for the landing and takeoff phases of flight by making pen and ink changes, or inserting a copy of this AD into the Limitations section of the RFM.

Note 1: Eurocopter France Service Telex 25.00.63, dated August 2, 2000, pertains to the subject of this AD.

(b) Within 6 months or before the next instrument flight rule (IFR) operation, whichever occurs first, upgrade the electrical master boxes and replace the nontemperature compensated 40-amp contactors (circuit breakers) 10P1 and 10P2 with temperature compensated 50-amp circuit breakers, part number P/N 84–306–050 (B) or 5TC50–50 (C), in accordance with the Accomplishment Instructions, paragraph 2.B, of Eurocopter Alert Service Bulletin AS355, No. 24.00.14, dated November 28, 2002.

(c) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Contact the Manager, Safety Management Group, Rotorcraft Directorate, FAA, for information about previously approved alternative methods of compliance.

(d) Modifying the electrical master boxes and replacing the nontemperature compensated 40-amp contractors (circuit breakers) must be done in accordance with Eurocopter Alert Service Bulletin AS 355, No. 24.00.14, dated November 28, 2002. The Director of the Federal Register approved this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053–4005, telephone (972) 641–3460, fax (972) 641–3527. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on February 13, 2004.

Note 2: The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) ADs 2000–339–060(A) dated August 23, 2000; 2000–339–060(A) R1, dated September 6, 2000; and 2000–339–060(A) R2, dated December 24, 2002.

Issued in Fort Worth, Texas, on December 23, 2003.

Kim Smith,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 04–268 Filed 1–8–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003–SW–41–AD; Amendment 39–13428; AD 2004–01–14]

RIN 2120–AA64

Airworthiness Directives; Eurocopter France Model EC130B4 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) for Eurocopter France (Eurocopter) Model EC130B4 helicopters with a certain air intake cowling attachment fitting (fitting) installed. This action requires inspecting for broken or cracked forward fittings. If a broken or cracked fitting is found, inspecting the four center and aft fittings for cracks is required. Replacing broken fittings or certain cracked fittings is also required. This amendment is prompted by reports of cracked and broken fittings; one fitting failed after only 418 hours time-in-service (TIS). This condition, if not corrected, could result in failure of a forward fitting, an excess load on the other fittings, which could cause them to crack and break, which could result in loss of the air intake cowling in flight, and subsequent damage or loss of control of the helicopter, or both.

DATES: Effective January 26, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 26, 2004.

Comments for inclusion in the Rules Docket must be received on or before March 8, 2004.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2003–SW–41–AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. You may also send comments electronically to the Rules Docket at the following address: *9-asw-adcomments@faa.gov.*

The service information referenced in this AD may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053–4005, telephone (972) 641–3460, fax (972) 641–3527. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ed Cuevas, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Safety Management Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5355, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: The Direction Generale De L'Aviation Civile (DGAC), the airworthiness authority for France, notified the FAA that an unsafe condition may exist on Eurocopter Model EC130B4 helicopters with fittings, part number (P/N) 350A25–0405–00, –01, –02, –03, –04, and –05, installed. The DGAC advises that there have been cases of cracks and failures of fittings.

Eurocopter France has issued Eurocopter Alert Service Bulletin No. 53A004, dated September 11, 2003, which specifies inspecting the fittings for cracks and replacing failed fittings or those with more than 2 cracks or 1 crack that exceeds 10 mm in length. The alert service bulletin permits operators to stop-drill up to two cracks provided that no crack exceeds 10 mm in length and that the fitting is inspected every 20 flying hours, at the lastest. The DGAC classified this alert service bulletin as mandatory and issued AD 2003–358(A), dated October 15, 2003, to ensure the continued airworthiness of these helicopters in France.

This helicopter model is manufactured in France and is type certificated for operation in the United States under the provisions of 14 CFR 21.29 and the applicable bilateral agreement. Pursuant to the applicable bilateral agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

This unsafe condition is likely to exist or develop on other helicopters of the same type design registered in the United States. Therefore, this AD is being issued to prevent failure of a forward fitting, an excess load on the other fittings, which could cause them to crack and break, which could result in loss of the air intake cowling in flight, and subsequent damage or loss of control of the helicopter, or both. This AD requires:

- For helicopters with less than 100 hours TIS, inspecting the forward fittings no later than 110 hours TIS, then at intervals not to exceed 110 hours TIS;
- For helicopters with 100 or more hours TIS, inspecting the forward fittings within the next 10 hours TIS, then at intervals not to exceed 110 hours TIS;
- If one or two forward fittings are broken or cracked, inspecting the center and aft fittings for breaks or cracks before further flight;
- If any fitting is broken, has a crack that exceeds 10 mm in length, or has more than 2 cracks, replacing the fitting with an airworthy fitting before further flight; and
- For helicopters with one or more cracked fitting with no more than two cracks on each fitting, and each crack length is less than or equal to 10mm, stop-drilling the cracks and inspecting the fitting at intervals not to exceed 20 hours TIS.

The actions must be done in accordance with the alert service bulletin described previously. The unsafe condition must be corrected in a very short time period because loss of an air intake cowling in flight can adversely affect the controllability or structural integrity of the helicopter. Therefore, the previously described actions are required, and this AD must be issued immediately. This AD is an interim action; Eurocopter is investigating to determine the cause of the cracked and failed fittings. Upon completion of that investigation, we may issue another AD with terminating action for the requirements of this AD.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

The FAA estimates that this AD will affect 28 helicopters and will take approximately 1 work hour to inspect the two forward fittings. If cracked or broken fittings are found, an additional 2 work hours will be required to inspect the center and aft fittings, and an additional 0.5 work hour will be required to replace each cracked or broken fitting. We estimate that the average labor rate will be $65 per work hour. We estimate that forward fittings cost $240 each and center and aft fittings cost $225 each. The estimated total cost of the AD for each year will