

further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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 the following new airworthiness directive:

##### 2004-02-01 Gulfstream Aerospace Corporation: Amendment 39-13436. Docket 2003-NM-275-AD.

**Applicability:** Model G-V series airplanes, certificated in any category; equipped with a landing gear selector dump valve (LGSDV) having part number 1159SCH512-7, -9, or -19.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent uncommanded unlocking of the landing gear, which could result in collapse of the landing gear, accomplish the following:

#### Inspection To Determine Serial Number

(a) Within 45 days after the effective date of this AD: Inspect the LGSDV located in the main wheel well to determine whether any serial number (S/N) listed in paragraph II.B. of Part I of the Accomplishment Instructions of Gulfstream GV Customer Bulletin 114, dated December 15, 2003, is installed.

#### Replacement, if Necessary

(b) Within 90 days after the effective date of this AD: Replace, per paragraph (b)(1) or (b)(2) of this AD, any LGSDV which has been determined by the inspection required by paragraph (a) of this AD to have an affected S/N; or any LGSDV for which the S/N cannot be determined. Replace in accordance with Part II of the Accomplishment Instructions of Gulfstream GV Customer Bulletin 114, dated December 15, 2003.

(1) Replace the affected LGSDV with an LGSDV having an S/N inside the affected range that has been cleaned in accordance with the customer bulletin.

(2) Replace the affected LGSDV with a new or serviceable part having an S/N outside the affected range.

#### Parts Installation

(c) As of the effective date of this AD, no person may install on any airplane an LGSDV having an S/N listed in paragraph II.B. of Part I of the Accomplishment Instructions of Gulfstream Customer Bulletin 114, dated December 15, 2003, unless it has been cleaned in accordance with the customer bulletin.

#### No Reporting Requirement

(d) Although the customer bulletin referenced in this AD specifies to submit a service reply card to the manufacturer, this AD does not include such a requirement.

#### Alternative Methods of Compliance

(e) In accordance with 14 CFR 39.19, the Manager, FAA, Atlanta Aircraft Certification Office, is authorized to approve alternative methods of compliance for this AD.

#### Incorporation by Reference

(f) The actions shall be done in accordance with Gulfstream GV Customer Bulletin 114, dated December 15, 2003. 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 Gulfstream Aerospace Corporation, P.O. Box 2206, M/S D-10, Savannah, Georgia 31402-9980. 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.

#### Effective Date

(g) This amendment becomes effective on February 6, 2004.

Issued in Renton, Washington, on January 8, 2004.

**Ali Bahrami,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 04-965 Filed 1-21-04; 8:45 am]

**BILLING CODE 4910-13-P**

### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

**[Docket No. FAA-2003-16415; Airspace Docket No. 03-AEA-16]**

#### Establishment of Class E Airspace; Calverton, NY

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E airspace at Calverton, NY. Controlled airspace extending upward from 700 feet Above Ground Level (AGL) is needed to contain aircraft operating into Calverton Executive Airpark Airport, Calverton, NY under Instrument Flight Rules (IFR).

**EFFECTIVE DATES:** 0901 UTC June 10, 2004.

**FOR FURTHER INFORMATION CONTACT:** Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA-520, Air Traffic Division, Eastern Region, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434-4809, telephone: (718) 553-4521.

#### SUPPLEMENTARY INFORMATION:

#### History

On December 9, 2003, a notice proposing to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by establishing Class E airspace extending upward from 700 feet above the surface within a 6-mile radius of Calverton Executive Airpark Airport, Calverton, NY was published in the **Federal Register** (68 FR 68575-68576). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA on or before January 8, 2004. No comments to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace area designations for airspace extending upward from the surface of the earth are published in paragraph 6005 of FAA Order 7400.9L, dated September 2, 2003, and effective September 16, 2003, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published in the Order.

#### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) provides controlled Class E airspace extending upward from 700 feet above the surface for aircraft conducting IFR operations within a 6-mile radius of Calverton Executive Airpark Airport, Calverton, NY.

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 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 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—[AMENDED]

■ 1. The authority citation for 14 CFR 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 Federal Aviation Administration Order 7400.9L, Airspace Designations and Reporting Points, dated September 2, 2003, and effective September 16, 2003, is amended as follows:

*Paragraph 6005 Class E Airspace Areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AEA NY ES Calverton, NY [NEW]

Calverton Executive Airpark Airport, NY  
(Lat. 40°54'54" N., long. 72°47'31" W.)

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Calverton Executive Airpark Airport, excluding that portion that coincides with the Shirley, NY and Westhampton Beach, NY Class E airspace areas.

\* \* \* \* \*

Issued in Jamaica, New York on January 14, 2004.

#### John G. McCartney,

Assistant Manager, Air Traffic Division,  
Eastern Region.

[FR Doc. 04-1331 Filed 1-21-04; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA-2003-15086; Airspace Docket No. 03-AAL-07]

RIN 2120-AA66

#### Revision of Restricted Area 2202C, and the Establishment of Restricted Area 2202D; Big Delta, AK

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Restricted Area 2202C (R-2202C), Big Delta, AK, by subdividing the altitude of R-2202C, to create R-2202D. The lateral dimensions of R-2202C will remain the same, however, the internal modification of the R-2202C and subsequent establishment of R-2202D will enable the military to activate only that portion of the airspace that is actually needed to contain their operations.

**EFFECTIVE DATE:** 0901 UTC, April 15, 2004.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-8783.

#### SUPPLEMENTARY INFORMATION:

#### Background

As a result of a recent review of R-2202 airspace, the U.S. Army requested that the FAA take action to internally subdivide R-2202C into two sub-areas. Dividing the airspace into two sub-areas will allow for more efficient real-time use of the airspace, and allow more public access.

#### The Rule

This action amends title 14 Code of Federal Regulations (14 CFR) part 73 (part 73) by subdividing R-2202C, and establishing R-2202D, to enable more efficient use of airspace. Specifically this action changes the vertical limit of R-2203C to FL 310 and establishes R-2202D in the former restricted airspace of R-2202C above FL 310. The internal stratification of R-2202C and subsequent establishment of R-2202D will enable the military to activate only that portion of the airspace that is actually needed to contain hazardous operations. There are no changes to the external boundaries, altitudes, and

times of designation or activities conducted within the restricted area.

Section 73.22 of part 73 was published in FAA Order 7400.8L, Special Use Airspace, dated October 7, 2003.

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 “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.

#### Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1D, Policies and Procedures for Considering Environmental Impacts. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

#### List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

#### PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 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.

#### § 73.22 [Amended]

■ 2. § 73.22 is amended as follows:

\* \* \* \* \*

#### R-2202C Big Delta, AK (Revised)

■ By removing the existing altitudes and substituting the following:

**Designated altitudes.** 10,000 feet MSL to and including FL310.