

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 the following new airworthiness directive:

#### 2004-08-11 Bae Systems (Operations)

**Limited** (Formerly British Aerospace Regional Aircraft): Amendment 39-13580. Docket 2001-NM-288-AD.

*Applicability:* All Model Jetstream 4101 airplanes, certificated in any category.

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

To prevent failure of the steering pinion in the nose landing gear (NLG), which could result in a loss of steering and possible damage to the airplane during takeoff and landing, accomplish the following:

#### Identification of Steering Pinion Part Number and Follow-on/Corrective Actions

(a) Within 60 days after the effective date of this AD: Do a review of the airplane maintenance records and a general visual inspection of the NLG to identify the part number (P/N) of the steering pinion, and to determine the total cycles since new and since overhaul of the NLG, by accomplishing all of the applicable actions in accordance with Part 1 of the Accomplishment Instructions of BAE Systems (Operations) Limited Service Bulletin J41-32-076, dated July 3, 2001.

**Note 1:** For the purposes of this AD, a general visual inspection is defined as: "A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made from within touching distance unless otherwise specified. A mirror may be necessary to enhance visual access to all exposed surfaces in the inspection area. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or droplight and may require removal or opening of access panels or doors.

Stands, ladders, or platforms may be required to gain proximity to the area being checked."

(b) If the steering pinion P/N is identified as AIR136088, and the NLG has more than 12,000 total landings since new or overhaul: Before further flight, after accomplishing the actions required by paragraph (a) of this AD, install a temporary placard prohibiting pushback with engines running in accordance with Part 1 of the Accomplishment Instructions of BAE Systems (Operations) Limited Service Bulletin J41-32-076, dated July 3, 2001.

(c) Based on the criteria in the Accomplishment Instructions of BAE Systems (Operations) Limited Service Bulletin J41-32-076, dated July 3, 2001, if it is determined that the NLG must be replaced with a serviceable NLG, accomplish the replacement in accordance with the Accomplishment Instructions of the service bulletin. Do the replacement at the later of the times specified in paragraphs (c)(i) and (c)(ii) of this AD. After replacement of an existing NLG, the temporary placard required by paragraph (b) of this AD may be removed from the airplane.

(i) Prior to the accumulation of 12,000 total landings on the NLG since new or overhaul.

(ii) Within 1,000 landings or 16 months after the effective date of this AD, whichever occurs first.

#### Repetitive Replacement

(d) After the initial replacement of a NLG as required by paragraph (c) of this AD: Replace the NLG with a serviceable NLG thereafter at intervals not to exceed 12,000 landings on the NLG, until accomplishment of paragraph (f) of this AD.

(e) If P/N AIR131714 is installed on the airplane, or if an operator installs this P/N as a serviceable replacement part, this part must be replaced at or before the accumulation of 19,000 total landings on the part, and thereafter at intervals not to exceed 19,000 total landings on the part, until accomplishment of paragraph (f) of this AD.

(f) Replacement of a NLG with a new NLG having P/N AIR83586-18, or any P/N AIR83586-xx (where xx represents the "dash" number of the part) with "mod 19 strike-off" recorded on the nameplate, in accordance with the Accomplishment Instructions of BAE Systems (Operations) Limited Service Bulletin J41-32-077, dated August 31, 2001, restores the life limits of the steering pinion to 60,000 landings on the NLG. Replace the NLG thereafter at intervals not to exceed 60,000 landings on the NLG.

#### Submission of Information to Manufacturer Not Required

(g) Although the service bulletins referenced in this AD specify to notify the manufacturer when the actions in the service bulletins have been accomplished, this AD does not include such a requirement.

#### Alternative Methods of Compliance

(h) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM-116, Transport Airplane Directorate, 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 BAE Systems (Operations) Limited Service Bulletin J41-32-076, dated July 3, 2001; and BAE Systems (Operations) Limited Service Bulletin J41-32-077, dated August 31, 2001; as applicable. 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 British Aerospace Regional Aircraft American Support, 13850 Mclearn Road, Herndon, Virginia 20171. 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 British airworthiness directive 001-07-2001.

#### Effective Date

(j) This amendment becomes effective on May 26, 2004.

Issued in Renton, Washington, on April 9, 2004.

**Ali Bahrami,**

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

[FR Doc. 04-8761 Filed 4-20-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2003-CE-61-AD; Amendment 39-13582; AD 2004-08-13]

RIN 2120-AA64

#### Airworthiness Directives; BURKHARDT GROB LUFT-UND RAUMFAHRT GmbH & CO KG Models G103 Twin ASTIR, G103 TWIN II, G103 TWIN III ACRO, and G103 C Twin III SL Sailplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA adopts a new airworthiness directive (AD) for certain BURKHARDT GROB LUFT-UND RAUMFAHRT GmbH & CO KG (Grob) Models G103 Twin ASTIR, G103 TWIN II, G103 TWIN III ACRO, and G103 C Twin III SL sailplanes. This AD requires you to replace the center of gravity (CG) release hook attachment brackets with brackets of improved design. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. We are issuing this AD to prevent abnormal or uncontrolled

sailplane release due to cracked CG release hook attachment brackets. This condition could result in reduced or loss of sailplane control.

**DATES:** This AD becomes effective on June 4, 2004.

As of June 4, 2004, the Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation.

**ADDRESSES:** You may get the service information identified in this AD from BURKHARDT GROB LUFT-UND RAUMFAHRT GmbH & CO KG, Letenbachstrasse 9, D-86874 Tussenhausen-Mattsies, Germany; telephone: 011 49 8268 998139; facsimile: 011 49 8268 998200.

You may view the AD docket at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003-CE-61-AD, 901 Locust, Room 506, Kansas City, Missouri 64106. Office hours are 8 a.m. to 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Greg Davison, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; facsimile: (816) 329-4090.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

*What events have caused this AD?* The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified FAA that an unsafe condition may exist on certain Grob Models G103 Twin ASTIR, G103

TWIN II, G103 TWIN III ACRO, and G103 C Twin III SL sailplanes. The LBA reports incidents of cracks found in the center of gravity (CG) release hook attachment brackets.

Grob has manufactured new improved design CG release hook attachment brackets that are less susceptible to such cracking.

*What is the potential impact if FAA took no action?* A cracked CG release hook attachment bracket, if not prevented, could lead to abnormal or uncontrolled sailplane release. This condition could result in reduced or loss of sailplane control.

*Has FAA taken any action to this point?* We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Grob Models G103 Twin ASTIR, G103 TWIN II, G103 TWIN III ACRO, and G103 C Twin III SL sailplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on February 17, 2004 (69 FR 7378). The NPRM proposed to require you to replace the CG release hook attachment brackets with brackets of improved design.

**Comments**

*Was the public invited to comment?* We provided the public the opportunity to participate in developing this AD. We received no comments on the proposal or on the determination of the cost to the public.

**Conclusion**

*What is FAA's final determination on this issue?* We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial corrections. We have determined that these minor corrections:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

**Changes to 14 CFR Part 39—Effect on the AD**

*How does the revision to 14 CFR part 39 affect this AD?* On July 10, 2002, the FAA published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's AD system. This regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

**Costs of Compliance**

*How many sailplanes does this AD impact?* We estimate that this AD affects 105 sailplanes in the U.S. registry.

*What is the cost impact of this AD on owners/operators of the affected sailplanes?* We estimate the following costs to accomplish the replacement:

Labor cost	Parts cost	Total cost per sailplane	Total cost on U.S. operators
2 workhours × \$65 per hour = \$130 .....	\$50	\$180	\$18,900

**Regulatory Findings**

*Will this AD impact various entities?* We have determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

*Will this AD involve a significant rule or regulatory action?* For the reasons discussed above, I certify that this AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the 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.

We prepared a summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under **ADDRESSES**. Include "AD Docket No. 2003-CE-61-AD" in your request.

**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 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. FAA amends § 39.13 by adding a new AD to read as follows:

**2004-08-13 BURKHARDT GROB LUFT-UND RAUMFAHRT GMBH CO & KG:** Amendment 39-13582; Docket No. 2003-CE-61-AD.

**When Does This AD Become Effective?**

- (a) This AD becomes effective on June 4, 2004.

**What Other ADs Are Affected by This Action?**

(b) None.

**What Sailplanes Are Affected by This AD?**

(c) This AD affects the following model and serial number sailplanes that are certificated in any category:

Models	Serial Numbers
(1) G103 Twin ASTIR	3000 through 3291.

Models	Serial Numbers
(2) G103 TWIN II .....	3501 through 3720.
(3) G103 TWIN III ACRO.	All serial numbers beginning with 34101.
(4) G103 C Twin III SL.	35002 through 35051.

issued by the airworthiness authority for Germany. The actions of this AD are intended to prevent abnormal or uncontrolled sailplane release due to cracked center of gravity (CG) release hook attachment brackets. This condition could result in reduced or loss of sailplane control.

**What Is the Unsafe Condition Presented in This AD?**

(d) This AD is the result of mandatory continuing airworthiness information (MCAI)

**What Must I Do To Address This Problem?**

(e) To address this problem, you must do the following:

Actions	Compliance	Procedures
(1) Replace the CG release hook attachment brackets with improved design brackets, as follows: (i) For the Models G103 Twin ASTIR, G103 TWIN II, and G103 TWIN III ACRO sailplanes: part number (P/N) 103B-2360.01/1 and P/N 103B-2360.02/1; and (ii) For the Model G103 C Twin III SL sailplane: P/N 103B-2360.01/2 and P/N 103B-2360.02/2. (2) Do not install any CG release hook attachment bracket that is not a part number referenced in paragraphs (e)(1)(i) and (e)(1)(ii) of this AD, as applicable.	Within the next 25 hours time-in-service (TIS) after June 4, 2004 (the effective date of this AD), unless already done.  As of June 4, 2004 (the effective date of this AD).	Follow Grob Service Bulletin No. MSB869-22, dated January 22, 2002; and Grob Service Bulletin No. MSB315-62, dated January 21, 2002.  Not Applicable.

**May I Request an Alternative Method of Compliance?**

(f) You may request a different method of compliance or a different compliance time for this AD by following the procedures in 14 CFR 39.19. Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the Manager, Standards Office, Small Airplane Directorate, FAA. For information on any already approved alternative methods of compliance, contact Greg Davison, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; facsimile: (816) 329-4090.

**Does This AD Incorporate Any Material by Reference?**

(g) You must do the actions required by this AD following the instructions in Grob Service Bulletin No. MSB869-22, dated January 22, 2002; and Grob Service Bulletin No. MSB315-62, dated January 21, 2002. The Director of the Federal Register approved the incorporation by reference of this service bulletin in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may get a copy from BURKHARDT GROB LUFT-UND RAUMFAHRT GmbH & CO KG, Letenbachstrasse 9, D-86874 Tussenhausen-Mattsies, Germany; telephone: 011 49 8268 998139; facsimile: 011 49 8268 998200. You may review copies at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Is There Other Information That Relates to This Subject?**

(h) German AD No. 2002-066, effective date: March 21, 2002; and German AD No. 2002-067, effective date: March 21, 2002, also address the subject of this AD.

Issued in Kansas City, Missouri, on April 13, 2004.

**James E. Jackson,**  
*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-8794 Filed 4-20-04; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2003-16059; Airspace Docket No. 03-AGL-16]**

**Modification of Class E Airspace; Mount Comfort, IN; Revocation of Class E Airspace; Indianapolis-Brookside, IN; Modification of Legal Description; Indianapolis-Terry, IN**

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

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class E airspace at Mount Comfort, IN, revokes Class E airspace at Indianapolis-Brookside, IN, and modifies the legal description at Indianapolis-Terry, IN. The Indianapolis Brookside Airpark has been abandoned, and the Standard

Instrument Approach Procedures (SIAPS) decommissioned. The Class E airspace area extending upward from 700 feet above the surface of the earth is no longer needed. Additionally, the airport name at Indianapolis-Terry, IN, has been changed. This action revokes the existing Class E airspace area for Indianapolis Brookside Airpark, IN, modifies the area of the existing Class E airspace for Mount Comfort Airport, IN, and modifies the legal description for Indianapolis Terry Airport.

**EFFECTIVE DATE:** 0901 UTC, August 5, 2004.

**FOR FURTHER INFORMATION CONTACT:** Patricia A. Graham, Air Traffic Division, Airspace Branch, AGL-520, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294-7568.

**SUPPLEMENTARY INFORMATION:**

**History**

On Wednesday, January 14, 2004, the FAA proposed to amend 14 CFR part 71 to modify Class E airspace at Mount Comfort, IN, revoke Class E airspace at Indianapolis-Brookside, IN, and modify the legal description at Indianapolis-Terry, IN, (69 FR 2088). The proposal was to modify the existing Class E airspace area at Mount Comfort, IN, revoke the existing Class E airspace area at Indianapolis-Brookside, IN, and modify the legal description at Indianapolis-Terry, IN. The Indianapolis Brookside Airpark has been abandoned, and the existing area of Class E airspace