

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 removing amendment 39–11896 (65 FR 55450, September 14, 2000), and by adding a new airworthiness directive (AD), amendment 39–13609, to read as follows:

**2004–09–20 Gulfstream Aerospace LP (Formerly Israel Aircraft Industries, Ltd.):** Docket 2001–NM–402–AD; Amendment 39–13609. Supersedes AD 2000–18–11, Amendment 39–11896.

**Applicability:** Model 1125 Westwind Astra series airplanes, certificated in any category; serial numbers 004 through 029 inclusive, and 031 through 041 inclusive.

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

To prevent the loss of primary attitude and directional gyros, which relate position information to the flight crew, accomplish the following:

#### Restatement of the Requirements of AD 2000–18–11

##### AFM Revision

(a) Within 10 days after September 29, 2000 (the effective date of AD 2000–18–11, amendment 39–11896), revise the Limitations and Abnormal Procedures Sections of the Israel Aircraft Industries, Ltd., Astra Airplane Flight Manual (AFM) by inserting a copy of Temporary Revision No. 9, dated May 21, 2000, into the AFM.

**Note 1:** When the temporary revision required by paragraph (a) of this AD has been incorporated into the general revisions of the AFM, the general revisions may be inserted into the AFM, provided that the information

contained in the general revisions is identical to that specified in the temporary revision.

#### New Requirements of This AD

##### Replacements

(b) Within 50 flight hours after the effective date of this AD: Replace existing sensing relays with new higher-accuracy relays having new part number (P/N) 1350–X3042; and replace existing DIRECT GYRO 1 and 2 circuit breakers having P/N 7274–47–3 with new circuit breakers having new P/N 7274–47–0.5; in accordance with the Accomplishment Instructions of Astra (Gulfstream Aerospace Corporation) Alert Service Bulletin 1125–24A–246, dated September 26, 2001.

##### New AFM Revision

(c) Before further flight following the actions required by paragraph (b) of this AD: Remove Temporary Revision No. 9, dated May 21, 2000, from the AFM; or revise the Limitations and Abnormal Procedures Sections of the Israel Aircraft Industries, Ltd. (Gulfstream Aerospace LP), Astra AFM by inserting a copy of Temporary Revision 13, dated October 31, 2001, into the AFM.

**Note 2:** When the temporary revision required by paragraph (c) of this AD has been incorporated into the general revisions of the AFM, the general revisions may be inserted into the AFM, provided that the information contained in the general revisions is identical to that specified in the temporary revision.

#### No Reporting Requirement

(d) Operators should note that, although the Accomplishment Instructions of the service bulletin referenced in paragraph (b) of this AD describe procedures for submitting a certificate of compliance to the manufacturer, this AD does not require those actions.

#### Alternative Methods of Compliance

(e) 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 (AMOCs) for this AD.

#### Incorporation by Reference

(f) The actions shall be done in accordance with Astra (Gulfstream Aerospace Corporation) Alert Service Bulletin 1125–24A–246, dated September 26, 2001; Temporary Revision No. 9, dated May 21, 2000, to the Israel Aircraft Industries, Ltd., Astra Airplane Flight Manual; and Temporary Revision 13, dated October 31, 2001, to the Israel Industries, Ltd. (Gulfstream Aerospace LP), Astra Airplane Flight Manual; as applicable.

(1) The incorporation by reference of Astra (Gulfstream Aerospace Corporation) Alert Service Bulletin 1125–24A–246, dated September 26, 2001; and Temporary Revision 13, dated October 31, 2001, to the Israel Aircraft Industries, Ltd. (Gulfstream Aerospace LP) Astra Airplane Flight Manual; is approved by the Director of the Federal Register in accordance with 5 U.S.C. 522(1) and 1 CFR part 51.

(2) The incorporation by reference of Temporary Revision No. 9, dated May 21, 2000, to the Israel Aircraft Industries, Ltd.,

Astra Airplane Flight Manual, was approved previously by the Director of the Federal Register as of September 29, 2000 (65 FR 55450, September 14, 2000).

(3) Copies may be obtained from Gulfstream Aerospace Corporation, P.O. Box 2206, Mail Station D–25, Savannah, Georgia 31402. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; 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 3:** The subject of this AD is addressed in Israeli airworthiness directive 24–01–06–04, dated November 13, 2001.

#### Effective Date

(g) This amendment becomes effective on June 15, 2004.

Issued in Renton, Washington, on April 21, 2004.

**Kalene C. Yanamura,**

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

[FR Doc. 04–10249 Filed 5–10–04; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002–NM–261–AD; Amendment 39–13610; AD 2004–09–21]

RIN 2120–AA64

#### Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Saab Model SAAB 2000 series airplanes, that requires repetitive inspections of the installation of the spoilers of the windshield wiper assemblies for discrepancies, and replacement with new spoilers if necessary. This amendment also requires eventual replacement of the spoilers of the windshield wiper assemblies with new spoilers. This action is necessary to prevent failure of the windshield wiper assembly, which could result in loss of visibility, damage to the propeller(s) and/or engine(s), or penetration of the fuselage skin and consequent rapid depressurization of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Effective June 15, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 15, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; 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).

**FOR FURTHER INFORMATION CONTACT:** Rosanne Ryburn, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2139; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Saab Model SAAB 2000 series airplanes was published in the **Federal Register** on January 22, 2004 (69 FR 3043). That action proposed to require repetitive inspections of the installation of the spoilers of the windshield wiper assemblies for discrepancies, and replacement with new spoilers if necessary. That action also proposed to require eventual replacement of the spoilers of the windshield wiper assemblies with new spoilers.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the one comment received.

The commenter states that the sentence in the "Discussion" section which states, "One report indicated that, after excessive vibration and subsequent separation of a windshield wiper spoiler \* \* \*" is incorrect. The commenter asks that the sentence be changed to correctly state, "One report indicated that, excessive vibration after separation of a windshield wiper spoiler \* \* \*" The FAA agrees with the commenter that the specified sentence was incorrect. However, the "Discussion" section is not restated in

this final rule, and, therefore, no change to the final rule is necessary.

#### Conclusion

After careful review of the available data, including the comment noted above, we have determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

The FAA estimates that 3 airplanes of U.S. registry will be affected by this AD.

It will take about 1 work hour per airplane to do the required inspection, at an average labor rate of \$65 per work hour. Based on these figures, the cost impact of the inspection required by this AD on U.S. operators is estimated to be \$195, or \$65 per airplane, per inspection cycle.

It will take about 6 work hours per airplane to do the required replacement, at an average labor rate of \$65 per work hour. Required parts will be free of charge. Based on these figures, the cost impact of the replacement required by this AD on U.S. operators is estimated to be \$1,170, or \$390 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

#### Regulatory Impact

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 the following new airworthiness directive:

**2004-09-21 Saab Aircraft AB:** Amendment 39-13610. Docket 2002-NM-261-AD.

**Applicability:** Model SAAB 2000 series airplanes, as listed in Saab Service Bulletin 2000-56-003, dated August 12, 2002, certificated in any category.

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

To prevent failure of the windshield wiper assembly, which could result in loss of visibility, damage to the propeller(s) and/or engine(s), or penetration of the fuselage skin and consequent rapid depressurization of the airplane, accomplish the following:

#### Repetitive Inspections

(a) Within 400 flight hours after the effective date of this AD: Do a detailed inspection for discrepancies (including cracks, loose parts, deformation, general deterioration) of the installation of the spoilers of the windshield wiper assemblies (including doing an operational test), by doing all the actions per the Accomplishment Instructions of Saab Service Bulletin 2000-56-003, dated August 12, 2002.

**Note 1:** For the purposes of this AD, a detailed inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required."

(1) If no discrepancies are found, repeat the inspection thereafter at intervals not to exceed 400 flight hours, until the replacement required by paragraph (b) of this AD is done.

(2) If any discrepancies are found, before further flight, do the replacement required by paragraph (b) of this AD.

#### Replacement

(b) Except as required by paragraph (a)(2) of this AD: Within 2,000 flight cycles after the effective date of this AD; replace the spoilers of the windshield wiper assemblies (including doing an operational test) by doing all the actions per the Accomplishment Instructions of Saab Service Bulletin 2000-56-002, Revision 01, dated August 12, 2002. Such replacement ends the repetitive inspections required by this AD.

#### Replacements Done Per Previous Issue of Service Bulletin

(c) Replacements done before the effective date of this AD per Saab Service Bulletin 2000-56-002, dated November 28, 1996, are considered acceptable for compliance with the corresponding action specified in this AD.

#### Alternative Methods of Compliance

(d) 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

(e) Unless otherwise provided in this AD, the actions shall be done in accordance with Saab Service Bulletin 2000-56-002, Revision 01, dated August 12, 2002; and Saab Service Bulletin 2000-56-003, dated August 12, 2002; 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 Saab Aircraft AB, SAAB Aircraft Product Support, S-581.88, Linköping, Sweden. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; 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 Swedish airworthiness directive 1-178, dated August 15, 2002.

#### Effective Date

(f) This amendment becomes effective on June 15, 2004.

Issued in Renton, Washington, on April 22, 2004.

**Kalene C. Yanamura,**

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

[FR Doc. 04-10242 Filed 5-10-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-NM-277-AD; Amendment 39-13616; AD 2004-09-26]

RIN 2120-AA64

#### Airworthiness Directives; Raytheon Model Hawker 800XP Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Raytheon Model Hawker 800XP airplanes, that requires replacement of certain existing pitot probes with new probes. This action is necessary to prevent loss or fluctuation of indicated airspeed, which could result in hazardous misleading information being provided to the flightcrew. This action is intended to address the identified unsafe condition.

**DATES:** Effective June 15, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 15, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from Raytheon Aircraft Company, Department 62, P.O. Box 85, Wichita, Kansas 67201-0085. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; 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).

#### FOR FURTHER INFORMATION CONTACT:

Chris B. Morgan, Aerospace Engineer, Systems and Propulsion Branch, ACE-116W, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4154; fax (316) 946-4407.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD)

that is applicable to certain Raytheon Model Hawker 800XP airplanes was published in the **Federal Register** on October 14, 2003 (68 FR 59138). That action proposed to require replacement of certain existing pitot probes with new probes.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received from a single commenter.

#### Request To Restrict Flight in Known Icing Conditions

The commenter states that a 6-month compliance time for replacement of the pitot probes, as specified in the proposed AD, seems inadequate if flight in known icing remains permissible. The commenter asks that consideration be given to restricting flight in known icing conditions until the proposed AD is complied with, in order to avoid atmospheric conditions that may cause the problem.

The FAA does not agree with the commenter. In consideration of the commenter's request, we have taken into account the early release of a Raytheon Safety Communique and the referenced service bulletin, in addition to the degree of urgency associated with the unsafe condition. The loss of airspeed indication, mach trim warning at high altitudes in the vicinity of clouds, and autopilot disconnect, indicate that there was insufficient heating energy inside the pitot probes. The loss of airspeed indication occurred at high altitude, with high moisture content, and lasted for a short period of time. The Safety Communique that was sent to all owners of Raytheon Model Hawker 800XP airplanes outlined the problem and corrective actions to take if it occurs; which include no abrupt power or altitude changes until the condition clears. We have determined that, in light of the preventive procedures that have been issued, allowing continued flight until the affected pitot probes are replaced will not adversely affect safety. No change to the final rule is necessary in this regard.

#### Request To Change Statement of Unsafe Condition

The commenter states that the proposed AD uses the term "seriously misleading information" to describe the consequences following the loss of the Captain and First Officer's airspeed information. The commenter asks that the term be changed to "hazardously misleading information," which is the