spar chords on the front and rear spars of the wing, which could result in reduced structural integrity of the wing, accomplish the following:

Superseding the Requirements of AD 2001–08–02

Note 1: As of the effective date of this AD, the requirements of AD 2001–08–02, amendment 39–12179, are no longer effective or required.

Definition of Service Bulletin

(a) The term ''service bulletin,'' as used in this AD, means the Accomplishment Instructions of Boeing 707 Alert Service Bulletin A3240, Revision 4, dated September 6, 2001.

Detailed Inspection

(b) Within 30 days after the effective date of this AD, do a detailed inspection of the entire length of the external surfaces of the front and rear wing spar chords and the internal surfaces of the front spar chords in the dry bays of the wings for corrosion, any signs of corrosion (*e.g.*, blistering or signs of fuel leaks), or cracking; per the Accomplishment Instructions of the service bulletin. If no corrosion or cracking is found, before further flight: Except as specified in paragraph (e) of this AD, accomplish any applicable follow-on actions or investigative actions, per the Accomplishment Instructions of the service bulletin.

Other Repetitive Inspections

(c) Within 6 months after the effective date of this AD, perform a detailed inspection and a high frequency eddy current (HFEC) inspection of the entire length of the external surfaces of the front and rear wing spar chords and the internal surfaces of the front spar chords in the dry bays of the wings for any corrosion, signs of corrosion (*e.g.*, blistering or signs of fuel leaks), or cracking; per the Accomplishment Instructions of the service bulletin. If no corrosion or cracking is found, before further flight, accomplish any applicable follow-on or investigative actions specified in the Accomplishment Instructions of the service bulletin and the actions specified in paragraph (e) of this AD. Thereafter, repeat the detailed and HFEC inspections at intervals not to exceed 12 months.

Repair of Corrosion

(d) If any corrosion or signs of corrosion (*e.g.*, blistering or signs of fuel leaks) are found during any inspection required by this AD: Before further flight, repair per paragraph (d)(1) or (d)(2) of this AD, as applicable.

(1) If the corrosion is within the areas and limits specified in the service bulletin: Except as required by paragraph (e) of this AD, repair and accomplish all applicable follow-on and investigative actions, per the Accomplishment Instructions of the alert service bulletin.

(2) If the corrosion is outside the areas or limits specified in the service bulletin, repair per a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA; or per data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative (DER) who has been authorized by the Manager, Seattle ACO, to make such findings. For a repair method to be approved by the Manager, Seattle ACO, as required by this paragraph, the approval letter must specifically reference this AD.

Application of Corrosion Inhibitor

(e) Where the Accomplishment Instructions of the service bulletin specifies to apply BMS 3–23 (a corrosion inhibitor) or a Boeing approved equivalent, this AD requires that BMS 3–23 must be used or that any application of an equivalent corrosion inhibitor be approved by the Manager, Seattle ACO, or per data meeting the type certification basis of the airplane approved by a Boeing Company DER who has been authorized by the Manager, Seattle ACO, to make such findings. For a repair method to be approved by the Manager, Seattle ACO, as required by this paragraph, the approval letter must specifically reference this AD.

Repair of Cracking

(f) If any cracking is found during any inspection required by this AD, including cracks that have been previously stop-drilled but not permanently repaired: Before further flight, repair per a method approved by the Manager, Seattle ACO; or per data meeting the type certification basis of the airplane approved by a Boeing Company DER who has been authorized by the Manager, Seattle ACO, to make such findings. For a repair method to be approved by the Manager, Seattle ACO, as required by this paragraph, the approval letter must specifically reference this AD. Operators should note that ''stop drilling'' of cracks as a means to defer repair is not permitted by this AD.

Alternative Methods of Compliance

(g) In accordance with 14 CFR 39.19, the Manager, Seattle ACO, FAA, is authorized to approve alternative methods of compliance for this AD.

Issued in Renton, Washington, on May 26, 2004.

Kevin M. Mullin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04–12576 Filed 6–2–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2004–CE–10–AD]

RIN 2120–AA64

Airworthiness Directives; Grob-Werke Gmbh & Co KG Models G102 CLUB ASTIR III, G102 CLUB ASTIR IIIb, and G102 STANDARD ASTIR III Sailplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2001–26–25, which applies to all Grob-Werke Gmbh & Co KG (Grob) Models G102 CLUB ASTIR III, G102 CLUB ASTIR IIIb, and G102 STANDARD ASTIR III sailplanes. AD 2001–26–25 currently requires you to apply a red mark and install a placard on the airspeed indicator to restrict the Vne airspeed. This proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. Consequently, this proposed AD would require you to install additional mass balance in the elevator and ailerons and determine resultant empty weight and empty weight center of gravity; incorporate a revision in the sailplane maintenance manual; and remove the red mark and the red placard on the airspeed indicator (both required by AD 2001–26–25). We are issuing this proposed AD to prevent elevator flutter, which could cause structural damage. Such damage could result in loss of control of the sailplane.

DATE: We must receive any comments on this proposed AD by July 1, 2004.

ADDRESSES: Use one of the following to submit comments on this proposed AD:

- *By mail:* FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2004–CE–10–AD, 901 Locust, Room 506, Kansas City, Missouri 64106.
- *By fax:* (816) 329–3771.
- *By e-mail: 9-ACE-7-Docket@faa.gov.* Comments sent electronically must contain ''Docket No. 2004–CE–10–AD'' in the subject line. If you send comments electronically as attached electronic files, the files must be formatted in Microsoft Word 97 for Windows or ASCII.

You may get the service information identified in this proposed AD from GROB Luft-und Raumfahrt, Lettenbachstrasse 9, D–86874 Tussenhausen-Mattsies, Federal Republic of Germany; telephone: 49 8268 998139; facsimile: 49 8268 998200.

You may view the AD docket at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2004–CE–10–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:

Comments Invited

How do I comment on this proposed AD? We invite you to submit any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include ''AD Docket No. 2004–CE–10–AD'' in the subject line of your comments. If you want us to acknowledge receipt of your mailed comments, send us a self-addressed, stamped postcard with the docket number written on it. We will date-stamp your postcard and mail it back to you.

Are there any specific portions of this proposed AD I should pay attention to? We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. If you contact us through a nonwritten communication and that contact relates to a substantive part of this proposed AD, we will summarize the contact and place the summary in the docket. We will consider all comments received by the closing date and may amend this proposed AD in light of those comments and contacts.

Discussion

Has FAA taken any action to this point? The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, reported that during flight operation of Model G102 CLUB ASTIR IIIb sailplanes, two events of elevator flutter occurred in the upper flight speed range due to unknown causes. This resulted in us issuing AD 2001–26–25, Amendment 39–12591 (67 FR 809, January 8, 2002).

AD 2001–26–25 currently requires the following on Grob Models G102 CLUB ASTIR III, G102 CLUB ASTIR IIIb, and G102 STANDARD ASTIR III sailplanes:

—Application of a red mark on the airspeed indicator at 165 km/h, 89.1 kts, or 102.5 mph (according to the airspeed indicator calibration); and

—Installation of a red placard to the airspeed indicator restricting the Vne airspeed to 165 km/h, 89.1 kts, or 102.5 mph (according to the airspeed indicator calibration).

What has happened since AD 2001–26–25 to initiate this proposed action? The LBA recently notified FAA of the need to change AD 2001–26–25. As a result of extensive tests and calculations, the LBA has determined that operation within the original margins can be approved if additional mass balance is installed in the elevators and ailerons.

Additionally, the LBA has determined that the operation with restricted Vne airspeed to 165 km/h, 89.1 kts, or 102.5 mph (according to the airspeed indicator calibration) is permitted to continue until additional mass balance is installed in the elevator and ailerons.

What is the potential impact if FAA took no action? Elevator flutter could cause structural damage. Such damage could result in loss of control of the sailplane.

Is there service information that applies to this subject? Grob has issued the following:

—Service Bulletin No. MSB306–36/3, dated December 4, 2002;

—Service Installation Instructions No. MSB306–36/3, dated April 18, 2002; and

—Instructions for Continued Airworthiness GROB G 102, Revision 1, dated April 18, 2002.

What are the provisions of this service information? This service information includes procedures for:

—Installing additional mass balance in the elevator and ailerons and determining empty weight and empty weight center of gravity after installing any additional mass balance;

—Incorporating Revision 2, dated December 4, 2002, in the sailplane maintenance manual or other appropriate document; and

—Removing the red mark on the airspeed indicator (required by AD 2001–26–25) at 165 km/h, 89.1 kts, or 102.5 mph.

What action did the LBA take? The LBA classified this service information as mandatory and issued German AD Number 2001–317/4, dated January 9, 2003, to ensure the continued airworthiness of these sailplanes in Germany.

Did the LBA inform the United States under the bilateral airworthiness agreement? These Grob Models G102 CLUB ASTIR III, G102 CLUB ASTIR IIIb, and G102 STANDARD ASTIR III are manufactured in Germany and are type-certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement.

Under this bilateral airworthiness agreement, the LBA has kept us informed of the situation described above.

FAA's Determination and Requirements of This Proposed AD

What has FAA decided? We have examined the LBA's findings, 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.

Since the unsafe condition described previously is likely to exist or develop on other Grob Models G102 CLUB ASTIR III, G102 CLUB ASTIR IIIb, and G102 STANDARD ASTIR III sailplanes of the same type design that are registered in the United States, we are proposing AD action to prevent elevator flutter, which could cause structural damage. Such damage could result in loss of control of the sailplane.

What would this proposed AD require? This proposed AD would supersede AD 2001–26–25 with a new AD that would incorporate the actions in the previously-referenced service bulletin and require removing the red placard to the airspeed indicator (currently required by AD 2001–26–25) restricting the Vne airspeed to 165 km/h, 89.1 kts, or 102.5 mph (according to the airspeed indicator calibration).

How does the revision to 14 CFR part 39 affect this proposed AD? On July 10, 2002, we published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs 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 would this proposed AD impact? We estimate that this proposed AD affects 50 sailplanes in the U.S. registry.

What would be the cost impact of this proposed AD on owners/operators of the affected sailplanes? We estimate the following costs to do this proposed modification to install additional mass balance in the elevator and ailerons and determine the empty weight and empty weight center of gravity; incorporate a revision in the applicable sailplane maintenance manual; and remove the red mark on the airspeed indicator and the red placard to the airspeed indicator:

Labor cost	Parts cost	Total cost per sailplane	Total cost on U.S. operators
10 workhours × $65 per hour = $650	Not Applicable	$650	$32,500

Regulatory Findings

Would this proposed AD impact various entities? We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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.

Would this proposed AD involve a significant rule or regulatory action? For the reasons discussed above, I certify that this proposed 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 proposed 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. 2004–CE–10–AD'' in your request.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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) 2001–26–25, Amendment 39–12591 (67 FR 809, January 8, 2002), and by adding a new AD to read as follows:

Grob-Werke Gmbh & Co KG: Docket No. 2004–CE–10–AD.

When Is the Last Date I Can Submit Comments on this Proposed AD?

(a) We must receive comments on this proposed airworthiness directive (AD) by July 1, 2004.

What Other ADs Are Affected By This Action?

(b) This AD supersedes AD 2001–26–25.

What Sailplanes Are Affected by This AD?

(c) This AD affects the following Models G102 CLUB ASTIR III, G102 CLUB ASTIR IIIb, and G102 STANDARD ASTIR III sailplanes, all serial numbers, that are certificated in any category.

What Is the Unsafe Condition Presented in This AD?

(d) This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified in this AD are intended to prevent elevator flutter, which could cause structural damage. Such damage could result in loss of control of the sailplane.

What Must I Do to Address This Problem?

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

Actions	Compliance	Procedures
(1) Install additional mass balance in the elevator and ailerons and determine resultant empty weight and empty weight center of gravity.	Within the next 25 hours time-in-service (TIS) after the effective date of this AD.	Follow GROB Luft-und Raumfahrt Service Bulletin No. MSB306–36/3, dated December 4, 2002; GROB Luft-und Raumfahrt Service Installation Instructions No. MSB306–36/3, dated April 18, 2002; and Instructions for Continued Airworthiness GROB G 102, Revision 1, dated April 18, 2002. The applicable sailplane maintenance manual also addresses this issue.
(2) Incorporate Instructions for Continued Airworthiness GROB G 102, Revision 1, dated April 18, 2002, in the sailplane maintenance manual, or other appropriate document.	Before further flight after installing the additional mass balance and determining the empty weight and empty weight center of gravity required by paragraph (d)(1) of this AD.	Not Applicable.
(3) Remove the red mark on the airspeed indicator (formerly required by AD 2001–26–25) at 165 kilometers/hour (km/h), 89.1 knots (kts), or 102.5 miles per hour (mph).	Before further flight after installing the additional mass balance and determining the empty weight and empty weight center of gravity required by paragraph (d)(1) of this AD.	Follow GROB Luft-und Raumfahrt Service Bulletin No. MSB306–36/3, dated December 4, 2002, and GROB Luft-und Raumfahrt Service Installation Instructions No. MSB306–36/3, dated April 18, 2002. The applicable sailplane maintenance manual also addresses this issue.
(4) Remove the red placard to the airspeed indicator (formerly required by AD 2001–26–25) restricting the Vne airspeed to 165 km/h, 89.1 kts. or 102.5 mph (according to the airspeed indicator calibration).	Before further flight after installing the additional mass balance and determining the empty weight and empty weight center of gravity required by paragraph (d)(1) of this AD.	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.

May I Get Copies of the Documents Referenced in This AD?

(g) You may get copies of the documents referenced in this AD from GROB Luft-und Raumfahrt, Lettenbachstrasse 9, D–86874 Tussenhausen-Mattsies, Federal Republic of Germany; telephone: 49 8268 998139; facsimile: 49 8268 998200. You may view these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

(h) German AD Numbers 2001–317/4, dated January 9, 2003, and 2001–317/3, dated November 14, 2002, also address the subject of this AD.

Issued in Kansas City, Missouri, on May 25, 2004.

David R. Showers,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04–12575 Filed 6–2–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA–04–17980]

RIN 2127–AI38

Federal Motor Vehicle Safety Standards; Seat Belt Assemblies

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking.

SUMMARY: In this document, NHTSA proposes to amend the Federal motor vehicle safety standard for seat belt assemblies to redefine the requirements and to establish a new test methodology for emergency-locking retractors. This rulemaking is in response to a petition for rulemaking submitted by a trade association representing manufacturers of occupant restraints. If adopted, the amendments would establish a new acceleration corridor, add a figure illustrating the acceleration corridor, provide tolerance on angle measurements, and employ the same instrumentation specifications currently found in other Federal motor vehicle safety standards containing crash tests.

DATES: You should submit comments early enough to ensure that Docket Management receives them not later than August 2, 2004.

ADDRESSES: You may submit comments [identified by DOT DMS Docket Number—04–17980] by the following methods:

- Web site: *http://dms.dot.gov.* Follow the instructions for submitting comments on the DOT electronic docket site.
- Fax: 1–202–493–2251.
- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–001.
- Hand Delivery: Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.
- Federal eRulemaking Portal: Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Submission of Comments heading under the **SUPPLEMENTARY INFORMATION** section of this document. Note that all comments received will be posted without change to *http://dms.dot.gov,* including any personal information provided. Please see the Privacy Act heading under Regulatory Analysis and Notices.

Docket: For access to the docket to read background documents or comments received, go to *http://dms.dot.gov* at any time or to Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: For non-legal issues, you may contact William Fan, Office of Crashworthiness Standards, at (202) 366–4922, and fax him at (202) 493–2739.

For legal issues, you may contact Christopher Calamita, Office of Chief Counsel, at (202) 366–2992, and fax him at (202) 366–3820.

You may send mail to these officials at the National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

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I. Background

The seat belt emergency-locking retractor was developed in the early 1960s to help maintain occupant position during rapid deceleration. The locking sensitivity of the device has been an important issue given the need to assure that the retractor would lock very early during a collision and even during the application of emergency braking, but not be so sensitive as to cause ''nuisance'' locking during normal driving conditions. Based on the limited knowledge and technology at the time, the Society of Automotive Engineers (SAE) Motor Vehicle Seat Belt Committee (MVSBC) developed the recommended practice SAE J–4b, and subsequently SAE J–4c. These recommended practices provided performance requirements, laboratory test procedures, and minimal design requirements for seat belt assemblies for use in motor vehicles, in order to minimize the risk of bodily harm in an impact. However, the test methodologies for the emergency-locking retractor were not clearly defined in these SAE recommended practices. SAE J–4c was ultimately adopted by NHTSA in the promulgation of Federal Motor Vehicle Safety Standard (FMVSS) No. 209, *Seat belt assemblies.* As a result, the test methodology, instrumentation, and measurements for assessing conformance were not explicitly described in S4.3(j) and S5.2(j) of FMVSS No. 209. This situation has not changed since the adoption of the standard on February 3, 1967.

Based on FMVSS No. 209, the agency developed a laboratory test procedure for its compliance laboratories to follow, which provided more detail concerning the test set up. The most recent version,