

preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their mailed comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 2004-SW-05-AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined 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 a new airworthiness directive to read as follows:

#### 2004-12-06 Eurocopter France:

Amendment 39-13665. Docket No. 2004-SW-05-AD.

**Applicability:** Model EC 155 B and B1 helicopters, with main rotor blade (blade), part number (P/N) 365A11-0080-00, installed, certificated in any category.

**Compliance:** Required as indicated.

To detect a crack in a blade tip cap mounting bracket (tenon), which could result in loss of the tip cap, severe vibration, and loss of control of the helicopter, accomplish the following:

(a) Unless accomplished previously, remove each blade and each tip cap, and inspect both the upper and lower side of the tenon for a crack using a 10× or higher magnifying glass while applying light manual upward and then downward pressure on the tenon as depicted in Figure 3 of Eurocopter Alert Telex No. 05A004, dated November 3, 2003 (Alert Telex) as follows:

(1) For blades with more than 100 hours time-in-service (TIS), inspect each blade within the next 10 hours TIS.

(2) For blades with 100 or less hours TIS, inspect each blade before it reaches 110 hours TIS.

(3) If a crack is found, replace the blade with an airworthy blade before further flight.

(b) After inspecting each blade as required by paragraph (a) of this AD:

(1) Unless accomplished previously, before further flight, using a 24" (500mm) straight edge, measure the clearance between the lower edge of the straight edge and the upper surface of the blade assembly at the blade-to-tip cap junction by following the Accomplishment Instructions, paragraph 2.B.2. of the Alert Telex, except contacting the manufacturer is not required. This initial clearance distance is called "DO".

(2) Thereafter, before the first flight of each day and on or before reaching each 10-hour TIS interval during the day, measure the clearance between the lower edge of the

straight edge and the upper surface of the blade assembly at the blade-to-tip cap junction for each blade as required by paragraph (b)(1) of this AD. If the measured clearance is equal to or greater than "DO" + 2mm, replace the blade with an airworthy blade before further flight.

(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 Safety Management Group, Rotorcraft Directorate, FAA, for information about previously approved alternative methods of compliance.

(d) Special flight permits will not be issued.

(e) The inspections and measurement shall be done in accordance with Eurocopter Alert Telex No. 05A004, dated November 3, 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 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 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).

(f) This amendment becomes effective on June 29, 2004.

**Note:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD No. F-2003-418, dated December 24, 2003.

Issued in Fort Worth, Texas, on June 1, 2004.

**David A. Downey,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 04-12905 Filed 6-10-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2003-14849; Airspace Docket No. 03-AWP-7]

#### Establishment of Class E Airspace; Beckwourth, CA

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes a Class E airspace area at Beckwourth, CA. The establishment of an Area Navigation (RNAV) Global Positioning System (GPS) Instrument Approach Procedure (IAP) RNAV (GPS) Runway (RWY) 25,

and two RNAV Departure Procedures (DP's) at Beckwourth-Nervino Airport, Beckwourth, CA has made this action necessary. Additional controlled airspace extending upward from 700 feet or more above the surface of the earth is needed to contain aircraft executing these RNAV procedures. The intended effect of this action is to provide adequate controlled airspace for Instrument Flight Rules operations at Beckwourth-Nervino Airport, Beckwourth, CA.

**DATES:** *Effective Date:* 0901 UTC August 5, 2004.

**FOR FURTHER INFORMATION CONTACT:** Jeri Carson, Airspace Specialist, Airspace Branch, AWP-520, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6611.

**SUPPLEMENTARY INFORMATION:**

**History**

On April 7, 2004, the FAA proposed to amend 14 CFR part 71 by modifying the Class E airspace area at Beckwourth, CA (69 FR 18309). Additional controlled airspace extending upward from 700 feet or more above the surface is needed to contain aircraft executing the RNAV (GPS) RWY 25 IAP and RNAV DP's at Beckwourth-Nervino Airport. This action will provide adequate controlled airspace for aircraft executing the RNAV (GPS) RWY 25 IAP and RNAV DP's to Beckwourth-Nervino Airport, Beckwourth, CA.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. Class E airspace designations for airspace extending from 700 feet or more above 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 subsequently in the Order.

**The Rule**

This amendment to 14 CFR part 71 establishes a Class E airspace area at Beckwourth, CA. The establishment of a RNAV (GPS) RWY 25 and two RNAV DP's to Beckwourth-Nervino Airport has made this action necessary. The effect of this action will provide adequate airspace for aircraft executing the RNAV (GPS) RWY 25 and RNAV DP's at Beckwourth-Nervino Airport, Beckwourth, CA.

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 a 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—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; ROUTES; AND REPORTING POINTS**

■ 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; 14 CFR 11.69.

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of the 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.*

\* \* \* \* \*

**AWP CA E5 Beckwourth, CA [NEW]**

Beckwourth-Nervino Airport, CA  
(Lat. 39°49'07" N, long. 120°21'10" W)  
Reno-Tahoe International Airport, NV  
(Lat. 39°29'56" N, long. 119°46'05" W)

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of the Beckwourth-Nervino Airport and within 4 miles north and 2 miles south of the 100° bearing from the Beckwourth-Nervino Airport extending from 6.5-miles to 12 miles southeast of the Beckwourth-Nervino Airport and within 2 miles each side of the 250° bearing from the Beckwourth-Nervino Airport extending from 6.5 miles to

10 miles west of the Beckwourth-Nervino Airport, and that airspace bounded by a line beginning at lat. 40°00'00" N, long. 120°06'00" W; to lat. 40°00'00" N, long. 119°54'00" W; to lat. 39°52'00" N, long. 119°45'00" W; thence counterclockwise via the 21.7-mile radius of the Reno/Tahoe International Airport to lat. 39°48'00" N, long. 120°00'00" W; to lat. 39°40'00" N, long. 120°00'00" W; to lat. 39°40'00" N, long. 120°06'00" W; to the point of beginning.

\* \* \* \* \*

Issued in Los Angeles, California, on June 2, 2004.

**John Clancy,**

*Manager, Air Traffic Division, Western-Pacific Region.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Docket No. FAA-2004-17420; Airspace Docket No. 04-ACE-21]

**Modification of Class E Airspace; Moberly, MO**

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

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This document confirms the effective date of the direct final rule which revises Class E airspace at Moberly, MO.

**DATES:** *Effective Date:* 0901 UTC, August 5, 2004.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2524.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final rule with a request for comments in the **Federal Register** on May 3, 2004 (69 FR 24064) and subsequently published a correction to the direct final rule on May 6, 2004 (69 FR 25467). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on August 5, 2004. No adverse comments