

## 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:

**2004-16-03 Gulfstream Aerospace LP (Formerly Israel Aircraft Industries, Ltd.):** Amendment 39-13759. Docket 2002-NM-325-AD.

*Applicability:* Model Galaxy and Model Gulfstream 200 airplanes, serial numbers 004 through 074 inclusive; certificated in any category.

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

To prevent possible separation of the flap actuator fairings from the lower skin of the wings from causing possible damage to adjacent structural elements (such as the horizontal stabilizer), which could result in reduced controllability of the airplane, accomplish the following:

#### Inspection

(a) Within 30 flight hours or 5 flight cycles after the effective date of this AD, whichever occurs earlier, perform a one-time detailed inspection of the wing flap actuators for proper bonding of the flap actuator fairings to the lower skin of the wings; in accordance with Part A of the Accomplishment Instructions of Gulfstream Aerospace LP Alert Service Bulletin 200-57A-161, Revision 1, dated November 7, 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."

#### Reinforcement of Actuator Fairing Adhesive

(b) If the inspection required by paragraph (a) of this AD reveals either no separation or separation of the flap actuator fairings from the lower skin of the wings that is within the limits specified in Gulfstream Aerospace LP Alert Service Bulletin 200-57A-161, Revision 1, dated November 7, 2002, do paragraphs (b)(1) and (b)(2) of this AD.

(1) Prior to further flight, apply sealant around the edges of the fairings, in accordance with Part A of the Accomplishment Instructions of the service bulletin.

(2) Within 300 flight hours after performing paragraph (b)(1) of this AD, remove and reattach the flap actuator fairings in accordance with Part B of the Accomplishment Instructions of the service bulletin.

#### Removal and Reattachment of Actuator Fairings

(c) If the inspection required by paragraph (a) of this AD reveals separation of the flap actuator fairings from the lower skin of the wings that is outside the limits specified in Gulfstream Aerospace LP Alert Service Bulletin 200-57A-161, Revision 1, dated November 7, 2002: Prior to further flight, remove and reattach the flap actuator fairings in accordance with Part B of the Accomplishment Instructions of the service bulletin.

#### Actions Accomplished Per Previous Issue of Service Bulletin

(d) Actions accomplished before the effective date of this AD per Gulfstream Aerospace LP Alert Service Bulletin 200-57A-161, dated November 6, 2002, are considered acceptable for compliance with corresponding actions specified in this AD.

#### Reporting Requirements

(e) Although the service bulletin referenced in this AD specifies to submit certain information to the manufacturer, this AD does not include such a requirement.

#### Alternative Methods of Compliance

(f) In accordance with 14 CFR 39.19, Manager, International Branch, ANM-116, FAA, is authorized to approve alternative methods of compliance for this AD.

#### Incorporation by Reference

(g) Unless otherwise specified by this AD, the actions shall be done in accordance with Gulfstream Aerospace LP Alert Service Bulletin 200-57A-161, Revision 1, dated November 7, 2002. 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, Mail Station D-25, Savannah, Georgia 31402. Copies may be inspected 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).

**Note 2:** The subject of this AD is addressed in Israeli airworthiness directive AD 57-02-10-15, dated October 31, 2002.

#### Effective Date

(h) This amendment becomes effective on September 14, 2004.

Issued in Renton, Washington, on July 27, 2004.

**Kyle L. Olsen,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 04-17758 Filed 8-9-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002-NM-209-AD; Amendment 39-13758; AD 2004-16-02]

RIN 2120-AA64

#### Airworthiness Directives; Short Brothers Model SD3 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all Short Brothers Model SD3 series airplanes, that requires installing a new warning annunciator light on the central warning panel and revising the Normal Procedures Section of the Aircraft Flight Manual to provide the flightcrew with procedures related to the new light. This action is necessary to prevent an engine shutdown in icing conditions, which could result in loss of control of the airplane and consequent injury to flightcrew and passengers. This action is intended to address the identified unsafe condition.

**DATES:** Effective September 14, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 14, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from Short Brothers, Airworthiness & Engineering Quality, PO Box 241, Airport Road, Belfast BT3 9DZ, Northern Ireland. 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:

Todd Thompson, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1175; 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 all Short Brothers Model SD3 series airplanes was published in the **Federal Register** on June 2, 2004 (69 FR 31049). That action proposed to require installing a new warning annunciator light on the central warning panel and revising the Normal Procedures Section of the Aircraft Flight Manual to provide the flightcrew with procedures related to the new light.

**Comments**

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

**Conclusion**

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

**Cost Impact**

The FAA estimates that 125 airplanes of U.S. registry will be affected by this AD, that it will take approximately 30 work hours per airplane to accomplish the required actions, and that the average labor rate is \$65 per work hour. Required parts will cost approximately \$4,800 per airplane. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$843,750, or \$6,750 per airplane.

The cost impact figure discussed above is 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:

**2004-16-02 Short Brothers PLC:**

Amendment 39-13758. Docket 2002-NM-209-AD.

*Applicability:* All Model SD3 series airplanes, certificated in any category.

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

To prevent an engine shut down in icing conditions, which could result in loss of control of the airplane and consequent injury to flight crew and passengers, accomplish the following:

**Installation and Aircraft Flight Manual (AFM) Revision**

(a) Within five months after the effective date of this AD, do the actions specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Install a new warning annunciator light on the central warning panel in accordance with the Accomplishment Instructions of the applicable Shorts service bulletins listed in Table 1 of this AD; and

(2) Revise the Normal Procedures Section of the AFM by inserting a copy of the applicable pages of the Shorts AFM document listed in Table 1 of this AD, per the Accomplishment Instructions of the applicable Shorts service bulletin listed in Table 1 of this AD.

TABLE 1.—SHORTS SERVICE BULLETINS AND AFMS

For model	Shorts service bulletin	Shorts AFM document number
SD3-SHERPA series airplanes .....	SD3 Sherpa-31-2, Revision 1, dated October 29, 2002.	Doc.No.SB.5.2, P/5.
SD3-60 SHERPA series airplanes .....	SD360 Sherpa-31-1, Revision 1, dated October 29, 2002.	Doc.No.SB.6.2, P/3.
SD3-30 series airplanes .....	SD330-31-15, Revision 1, dated October 29, 2002.	Doc.No.SBH.3.3, P/20 or Doc.No.SBH.3.6, P/18, as applicable.
SD3-60 series airplanes .....	SD360-31-06, Revision 1, dated October 29, 2002.	Doc.No.SB.4.8, P/19 or Doc.No.SB.4.6, P/20, as applicable.

**Alternative Methods of Compliance**

(b) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM-116,

FAA, is authorized to approve alternative methods of compliance (AMOCs) for this AD.

**Incorporation by Reference**

(c) The actions shall be done in accordance with the Shorts service bulletin listed in Table 2 of this AD, as applicable.

TABLE 2.—SHORTS SERVICE BULLETINS INCORPORATED BY REFERENCE

Service bulletin	Revision	Date
SD3 Sherpa-31-2 .....	1	October 29, 2002.

TABLE 2.—SHORTS SERVICE BULLETINS INCORPORATED BY REFERENCE—Continued

Service bulletin	Revision	Date
SD360 Sherpa-31-1 .....	1	October 29, 2002.
SD330-31-15 .....	1	October 29, 2002.
SD360-31-06 .....	1	October 29, 2002.

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 Short Brothers, Airworthiness & Engineering Quality, PO Box 241, Airport Road, Belfast BT3 9DZ, Northern Ireland. 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 1:** The subject of this AD is addressed in British airworthiness directives 002-06-2002, 003-06-2002, 004-06-2002, and 005-06-2002.

**Effective Date**

(d) This amendment becomes effective on September 14, 2004.

Issued in Renton, Washington, on July 27, 2004.

**Kyle L. Olsen,**

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

[FR Doc. 04-17757 Filed 8-9-04; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 2003-NM-92-AD; Amendment 39-13762; AD 2004-16-06]

**RIN 2120-AA64**

**Airworthiness Directives; BAE Systems (Operations) Limited Model Avro 146-RJ Series Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all BAE Systems (Operations) Limited Model Avro 146-RJ series airplanes, that requires replacing the existing digital flight guidance computer(s) (DFGC) with a new or modified DFGC(s). This action is necessary to prevent a premature flare from occurring on approach due to erroneous data being provided to the

DFGC(s); and also to prevent uncertainty about autopilot engagement status, which could cause the pilot to apply unneeded force to the control column and possibly result in a runaway condition of the autotrim. Either condition could lead to reduced controllability of the airplane. This action is intended to address the identified unsafe conditions.

**DATES:** Effective September 14, 2004.

The incorporation by reference of a certain publication listed in the regulations is approved by the Director of the Federal Register as of September 14, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. This information may be examined 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:** Todd Thompson, Aerospace Engineer; International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1175; 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 all BAE Systems (Operations) Limited Model Avro 146-RJ series airplanes was published in the **Federal Register** on March 24, 2004 (69 FR 13760). That action proposed to require replacing the existing digital flight guidance computer(s) (DFGC) with a new flight computer(s).

**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.

**Request To Revise the Explanation of Unsafe Conditions and Results**

Two commenters state that the unsafe condition and results specified in the AD are derived from an incorrect combination of two completely unrelated conditions. Both commenters state that the premature flare condition is due to erroneous radio altimeter data provided to the DFGCs being undetected. One of the commenters, the airplane manufacturer, states that inappropriate force that the pilot applied to the control stick resulted from the flightcrew's uncertainty as to whether the autopilot was engaged or not. The commenter requests that the Summary and Discussion sections of the proposed AD be rewritten to reflect that the two unsafe conditions are unrelated. The other commenter, the DFGC manufacturer, requests that the body of the proposed AD be rewritten to reflect that the two unsafe conditions are unrelated.

The FAA agrees that the premature flare condition and application of inappropriate force to the control stick are unrelated. Therefore, we have rewritten the statement of unsafe conditions in the Summary and body of the AD to reflect the commenters' statements. However, the Discussion section of the AD is not repeated in the final rule, so no change to the final rule is necessary in that regard.

**Request To Revise Wording Describing the Action to Replace**

One commenter, the DFGC manufacturer, requests that the wording of paragraph (a) of the proposed AD describing the replacement of the "existing \* \* \* DFGC" with a "new DFGC(s) \* \* \*" be revised to read "a modified DFGC." The commenter states that the unsafe conditions result from erroneous data from external sources being supplied to DFGCs that are in perfect working order. The commenter indicates that specifying replacement of an existing DFGC with a new DFGC implies that the DFGC was seriously flawed and required a major redesign. The commenter states that only minor software adjustments were necessary to enhance DFGC monitoring capabilities and no redesign was needed to address the unsafe conditions. Following the