**Alternative Methods of Compliance**

(g) You must perform these mandatory inspections using the TLM and the applicable Engine Manual unless you receive approval to use an alternative method of compliance under paragraph (h) of this AD. Section 43.16 of the Federal Aviation Regulations (14 CFR 43.16) may not be used to approve alternative methods of compliance or adjustments to the times in which these inspections must be performed.

(h) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

**Maintaining Records of the Mandatory Inspections**

(i) You have met the requirements of this AD by using a TLM changed as specified in paragraph (f) of this AD, and, for air carriers operating under part 121 of the Federal Aviation Regulations (14 CFR part 121), by modifying your continuous airworthiness maintenance plan to reflect those changes. You must maintain records of the mandatory inspections that result from those changes to the TLM according to the regulations governing your operation. You do not need to record each piece-part inspection as compliance to this AD. For air carriers operating under part 121, you may use either the system established to comply with section 121.369 or use an alternative system that your principal maintenance inspector has accepted if that alternative system:

1. Includes a method for preserving and retrieving the records of the inspections resulting from this AD; and
2. Meets the requirements of section 121.369(c); and
3. Maintains the records either indefinitely or until the work is repeated.

(j) These record keeping requirements apply only to the records used to document the mandatory inspections required as a result of revising the Time Limits Manual as specified in paragraph (f) of this AD, and do not alter or amend the record keeping requirements for any other AD or regulatory requirement.

**Material Incorporated by Reference**

(k) None.

**Related Information**

(l) Civil Aviation Authority (CAA) airworthiness directive No. C–2003–0003, dated November 25, 2003, also addresses the subject of this AD.

Issued in Burlington, Massachusetts, on September 15, 2004.

Jay J. Pardee,
Manager, Engine and Propeller Directorate,
Aircraft Certification Service.

[FR Doc. 04–2170 Filed 9–21–04; 8:45 am]

**BILLING CODE 4910–13–P**

### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

14 CFR Part 39


RIN 2120-AA64

Airworthiness Directives; Robinson Helicopter Company Model R22–Series Helicopters

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment supersedes an existing emergency airworthiness directive (AD) for the Robinson Helicopter Company (Robinson) Model R22, R22 Alpha, R22 Beta, and R22 Mariner helicopters, that currently requires track-and-balancing certain main rotor blades (blades), replacing blades, and determining the age of each blade and revising the component history card or equivalent maintenance record. This amendment requires the same actions, but changes the applicability and adds clarifying language. It also prohibits the issuance of special flight permits, which the existing AD allows. This amendment is prompted by the need to clarify the existing AD language. The actions specified by this AD are intended to prevent a fatigue crack, blade failure, and subsequent loss of control of the helicopter.

**DATES:** Effective October 7, 2004. Comments for inclusion in the Rules Docket must be received on or before November 22, 2004.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2004–SW–15–AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. You may also send comments electronically to the Rules Docket at the following address: 9-asw-adcomments@faa.gov.
but only have a manufacturer since these helicopters are have been overhauled by the commenters have called regarding the control of the helicopter.

crack, blade failure, and subsequent loss of control. Investigations revealed that the cracked blades manifested an increase in vibration following a track-and-balance; however, occurs first, replacing the blades with airworthy blades before further flight if an abnormal increase in vibration occurs within 5 hours TIS after the first track-and-balance;

Within 10 hours TIS or 30 days, whichever occurs first, for helicopters with blades, part number (P/N) A016–1, replacing the blades with airworthy blades other than blades, P/N A016–1, on or before reaching 2,000 hours TIS;

Within 10 hours TIS or 30 days, whichever occurs first, for helicopters with blades, P/N A016–2, replacing the blades with airworthy blades other than blades, P/N A016–1, on or before reaching 2,200 hours TIS or 10 years, whichever occurs first; and

Within 10 hours TIS or 30 days, whichever occurs first, for determining the age of each blade and revising the component history card or equivalent maintenance record for blades, P/N A016–2, by adding a 10-year retirement life to the current 2,200 hours TIS retirement life.

That action was prompted by two accidents that occurred in Australia and Israel that were attributed to failure of a blade. Investigation revealed that corrosion from water penetration initiated a fatigue crack in a blade. Information from the accident investigations revealed that the cracked blades manifested an increase in helicopter vibration. Following a track-and-balance of the blades, the vibrations would go back to normal for a short time and then slowly increase again until blade failure occurred. That condition, if not corrected, could result in a fatigue crack, blade failure, and subsequent loss of control of the helicopter.

Since issuing that AD, several commenters have called regarding the following issues:

The AD does not include the start date for determining the age of the blades on Model R22 helicopters that have been overhauled by the manufacturer since these helicopters are returned to the owner with new blades, but only have a “return-to-service tag”. The FAA agrees, and has included specific instructions for overhauled helicopters in this AD.

Paragraph (d) of the emergency AD is unclear and has been interpreted by some to mean that all Model R22 helicopters with blades, P/N A016–2, installed, are grounded within 10 hours TIS or 30 days. While the FAA does not understand this interpretation, we have reworded the paragraph in this AD in an attempt to make it clearer. These blades must be replaced with airworthy blades on or before reaching their retirement life.

Are the R22 Model Beta II and HP helicopters affected by the AD since they are not specifically listed in the Applicability section of the AD? The R22 Model Beta II and HP helicopters are commercial names for the R22 Beta and R22 and are not shown on the helicopter’s type certificate. The required identification plate for each helicopter must contain the Model designation. These data plate model numbers are the ones listed in the type certificate and, as appropriate, in our ADs. However, the applicability statement has been restated in terms of the Model R22-series helicopters with blades, P/N A0126–1 or A016–2, installed. Our intent was and is to include in the applicability ALL Model R–22 helicopters with the affected blades installed, regardless of their commercial designation.

“Yellow tags” are issued for any return to service of a part, whether new or not; does any “yellow tag” constitute the start of the calendar life of the blade? The AD has been reworded to clarify that only “yellow tags” delivered with the blade when new may be used to start the calendar life of the blade.

These changes justify issuing this superseding AD instead of publishing Emergency AD 2004–06–52 as a Final Rule in the Federal Register.

Since an unsafe condition has been identified that is likely to exist or develop on either Robinson Model R22 helicopters of the same type design, this AD supersedes AD 2004–06–52 to require:

Within 10 hours TIS or 30 days, whichever occurs first, tracking-and-balancing blades, P/N A016–2, that are 5 or more years old, or have 1,000 or more hours TIS;

Replacing the blades with airworthy blades, P/N A016–2, before further flight if an abnormal increase in vibration occurs within 5 hours TIS after the last track-and-balance;

Within 10 hours TIS or 30 days, whichever occurs first, for helicopters with blades, P/N A016–1, replacing the blades with airworthy blades, P/N A016–2 or A016–4;

Within 10 hours TIS or 30 days, whichever occurs first, for helicopters with blades, P/N A016–2, replacing the blades with airworthy blades on or before reaching 2,200 hours TIS or 10 years, whichever occurs first; and

Within 10 hours TIS or 30 days, whichever occurs first, determining the age of each blade and revising the component history card or equivalent maintenance record for blades, P/N A016–2, by adding a 10-year retirement life to the current 2,200 hours TIS retirement life.

The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability and structural integrity of the helicopter. Therefore, the previously stated actions are required within a short timeframe and this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

The FAA estimates that this AD will affect 923 helicopters of U.S. registry. Track-and-balancing the blades, revising the component history card and maintenance manual, determining the age of each blade, and replacing blades, if necessary, will take approximately 11 work hours per helicopter to accomplish at an average labor rate of $65 per work hour. Required parts will cost approximately $25,000 (for 2 blades) per helicopter. Based on these figures, we estimate the total cost impact of the AD on U.S. operators to be $7,584,945, assuming that most blades currently in service reach the TIS retirement life before reaching the calendar retirement life, and that at most, 277 helicopters will need their blades replaced.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not 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 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 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–15–AD.” The postcard was returned 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 regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action and that it is not a regulatory action.

The intended effect of this rule is to provide controlled airspace of

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71


Modification of Class D Airspace; and Modification of Class E Airspace; Grand Island, NE

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; request for comments.

SUMMARY: This action amends title 14 Code of Federal Regulations, part 71 (14 CFR part 71) by revising Class D and Class E airspace areas at Grand Island, NE. A review of the controlled airspace areas at Grand Island, NE revealed they do not reflect the current Central Nebraska Regional Airport airport reference point (ARP). The review also identified discrepancies in the legal descriptions for the Grand Island, NE Class E airspace areas. These airspace areas are modified to conform to FAA Orders.

The intended effect of this rule is to provide controlled airspace of