

TABLE 2.—PERFORMANCE PENALTIES—Continued

AFM sections	AFM limits with de-ice boot patch limits exceeded (Note: Flap settings as applicable to aircraft model)
4th Seg. Net Gradient .....	Subtract: 0.012 (flap 0°).
Flap Retraction Initiation Speed .....	Add: 5 kt (flap 5°); 5 kt (flap 10°); 5 kt (flap 15°).
<i>Enroute Climb Data:</i> Sub-Section 5–7:	
Enroute Climb Speed .....	Add: 5 kt.
Net Climb Gradient .....	Subtract: 0.004.
OEI-Climb Ceiling .....	Subtract: 1,200 ft.
<i>Landing Speed:</i> Sub-Section 5–8:	
Approach, Go-around & Vref .....	Add: 5 kt (flap 5°); 5 kt (flap 10°); 5 kt (flap 15°); 5 kt (flap 35°).
<i>Landing WAT Limit:</i> Sub-Section 5–9:	
<b>Note:</b> Weight reduction not required when limited by maximum structural weight.	Subtract: 860 kg, 1,900 lb.(flap 10°); 225 kg, 500 lb. (flap 15°); 180 kg, 400 lb. (flap 35°).
<i>Landing Climb Data:</i> Sub-Section 5–10:	
Approach Gross Climb Gradient .....	Subtract: 0.010 (flap 5°); 0.003 (flap 10°); 0.002 (flap 15°).
Balked Landing Gross Climb Gradient .....	Subtract: 0.035 (flap 10°); 0.017 (flap 15°); 0.016 (flap 35°).
<i>Landing Field Length:</i> Sub-Section 5–11:	Add: 23% (flap 10°); 16% (flap 15°); 10% (flap 35°).
<i>Brake Energy:</i> Sub-Section 5–12:	
Accel/Stop B.E .....	Add: 7% (flap 0°); 7% (flap 5°); 7% (flap 10°); (flap 15°).
Landing B.E .....	Add: 30% (flap 10°); 20% (flap 15°); 8% (flap 35°).

(3) Do the replacements described in paragraph (c)(2) of this AD per a method approved by either the Manager, Systems and Flight Test Branch, ANE-172, FAA, New

York Aircraft Certification Office (ACO), or Transport Canada Civil Aviation (TCCA) (or its delegated agent). The applicable chapter of the applicable Bombardier Aircraft

Maintenance Manual (AMM) or in the temporary revision listed in Table 3 of this AD is one approved method.

TABLE 3.—AMM REFERENCE

Model	AMM	Product support manual (PSM)	Chapter	Temporary revision (TR)	Date
DHC-8-101, -102, -103, and -106	Series 100 .....	1-8-2 .....	30-10-48 .....	TR 30-35 .....	October 28, 2003.
DHC-8-201, and -202 .....	Series 200 .....	1-82-2 .....	30-12-00 .....	TR 30-025 .....	August 28, 2003.
DHC-8-301, -311, and -315 .....	Series 300 .....	1-83-2 .....	30-10-48 .....	TR 30-25 .....	October 21, 2003.

**Parts Installation**

(d) As of the effective date of this AD, no person may install—on any airplane—a de-icer boot patch in the critical zone of the wing de-icer boots that exceeds the patch limits specified in paragraph (a) of this AD.

**Actions Accomplished Previously**

(e) Actions that were accomplished before the effective date of this AD per the applicable chapters of the following AMMs is acceptable for compliance with the corresponding action in this AD: DHC-8-101, -102, and -106 Series 100 AMM, PSM 1-8-2, Chapter 30-10-48, Revision 49, dated October 3, 2001; DHC-8-201, and -202 Series 200 AMM, PSM 1-82-2, Chapter 30-12-00, Revision 11, dated October 19, 2001; and Temporary Revision 30-21 to the DHC-8-301, -311, and -315 Series 300 AMM, PSM 1-83-2, Chapter 30-10-48, dated October 30, 2001.

**Alternative Methods of Compliance**

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

**Note 2:** The subject of this AD is addressed in Canadian airworthiness directive CF-2001-43, dated November 23, 2001.

**Effective Date**

(g) This amendment becomes effective on November 3, 2004.

Issued in Renton, Washington, on September 16, 2004.

**Ali Bahrami,**

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

[FR Doc. 04-21646 Filed 9-28-04; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2004-18824; Airspace Docket No. 04-ACE-50]**

**Modification of Class D Airspace; and Modification of Class E Airspace; Joplin, MO**

**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 71) by revising Class D and Class E airspace areas at Joplin, MO. A review of the controlled airspace areas at Joplin, MO revealed noncompliance with criteria for diverse departures from Joplin Regional Airport. The review also identified other discrepancies in the legal descriptions for the Joplin, MO Class E airspace areas. The intended effect of this rule is to provide controlled airspace of appropriate dimensions to protect aircraft departing from and executing Standard Instrument Approach Procedures (SIAPs) to Joplin Regional Airport. It also corrects discrepancies in the legal descriptions of Joplin, MO Class D and Class E airspace areas and brings the airspace areas and legal descriptions into compliance with FAA Orders.

**DATES:** This direct final rule is effective on 0901 UTC, January 20, 2005. Comments for inclusion in the Rules Docket must be received on or before November 8, 2004.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the

docket number FAA-2004-18824/Airspace Docket No. 04-ACE-50, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comment received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

**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:**

This amendment to 14 CFR 71 modifies the Class D airspace area, the Class E airspace area designated as a surface area and the Class E airspace area extending upward from 700 feet above the surface at Joplin, MO. An examination of controlled airspace for Joplin, MO revealed that the Class D airspace area and the Class E airspace area designated as a surface area do not comply with airspace requirements for diverse departures from Joplin Regional Airport as set forth in FAA Order 7400.2E, Procedures for Handling Airspace Matters. The examination also revealed that the dimensions and descriptions of extensions to the Class E airspace area extending upward from 700 feet above the surface do not comply with FAA Order 8260.19C, Flight Procedures and Airspace.

This action expands the Joplin, MO Class D and Class E airspace area designated as a surface area from a 4.2-mile to a 4.3-mile radius of Joplin Regional Airport. It also defines the centerline of the northwest extension to the Class E airspace area extending upward from 700 feet above the surface in relation to the 318° bearing from LUNNS LOM, decreases the width of this extension from 2.6 to 1.9 miles each side of centerline and decreases the length from 7.4 to 7 miles from LUNNS LOM. Additionally, the southeast extension to the Class E airspace area extending upward from 700 feet above the surface is no longer required and is deleted from the legal description.

These modifications provide controlled airspace of appropriate dimensions to protect aircraft departing from the executing SLAPs to Joplin Regional Airport and bring the legal descriptions of the Joplin, MO Class D and Class E airspace areas into

compliance with FAA Orders 7400.2E and 8260.19C. Class D airspace areas are published in Paragraph 5000 of FAA Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. Class E airspace areas designated as surface areas and Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraphs 6002 and 6005 respectively of the same FAA Order. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

**The Direct Final Rule Procedure**

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulations will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the data on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

**Comments Invited**

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited to the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to

Docket No. FAA-2004-18824/Airspace Docket No. 04-ACE-50." The postcard will be date/time stamped and returned to commenter.

**Agency Findings**

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 noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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.

**List of Subjects 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

■ Accordingly, 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; AIRWAYS; ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for 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.

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

**ACE MO D Joplin, MO**

Joplin Regional Airport, MO  
(Lat. 37°09'07" N., long. 94°29'54" W.)

That airspace extending upward from the surface to and including 3,500 feet MSL within a 4.3-mile radius of Joplin Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Paragraph 6002 Class E Airspace Designated as Surface Areas.

\* \* \* \* \*

**ACE MO E2 Joplin, MO**

Joplin Regional Airport, MO  
 Lat. 37°09'07" N., long. 94°29'54" W.)

Within a 4.3-mile radius of Joplin Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

\* \* \* \* \*

**ACE MO E5 Joplin, MO**

Joplin regional Airport, MO  
 (Lat. 37°09'07" N., long. 94°29'54" W.)  
 LUNNS LOM  
 (Lat. 37°12'11" N., long 94°33'31" W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Joplin Regional Airport and within 1.9 miles each side of the 318° bearing from the LUNNS LOM extending from the 6.8-mile radius of the airport to 7 miles northwest of the LOM.

\* \* \* \* \*

Issued in Kansas City, MO, on September 17, 2004.

**Paul J. Sheridan,**  
 Manager, Air Traffic Division, Central Region.  
 [FR Doc. 04-21862 Filed 9-28-04; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF COMMERCE**

**Bureau of Industry and Security**

**15 CFR Part 744**

[Docket No. 040713207-4207-01]

RIN 0694-AD13

**India: Removal of Indian Entity and Revision in License Review Policy for Certain Indian Entities; and a Clarification; Correction**

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Final rule.

**SUMMARY:** On September 22, 2004, the Bureau of Industry and Security published a **Federal Register** document that, *inter alia*, removed an Indian entity from the Entity List and revised licensing policies for other Indian entities in the Export Administration Regulations. That notice was misprinted, containing typographical errors in the statement of licensing policy with respect to two Indian Department of Atomic Energy entities that are subject to International Atomic Energy Agency safeguards and in statements of **Federal Register** citations amending the Entity List. Additionally, the preamble in that notice should have stated that the licensing policy for the "balance of plant" portion of Indian nuclear facilities subject to International Atomic Energy Agency safeguards

(Rajasthan 1 & 2 and Tarapur 1 & 2) is a presumption of approval for items not multilaterally controlled for nuclear proliferation reasons. This document corrects those errors.

**DATES:** This rule is effective September 23, 2004.

**FOR FURTHER INFORMATION CONTACT:** Eileen M. Albanese, Office of Exporter Services, Bureau of Industry and Security, telephone: (202) 482-0436.

**List of Subjects in 15 CFR Part 744**

Exports, Reporting and recordkeeping requirements, Terrorism.

■ Accordingly, for the reasons set forth in the preamble, 15 CFR part 744 is amended as follows:

**PART 744—[AMENDED]**

■ 1. The authority citation for 15 CFR part 744 is revised to read as follows:

**Authority:** 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; 22 U.S.C. 3201 *et seq.*; 42 U.S.C. 2139a; Sec. 901-911, Pub. L. 106-387; Sec. 221, Pub. L. 107-56; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 12947, 60 FR 5079, 3 CFR, 1995 Comp., p. 356; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208, E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of October 29, 2003, 68 FR 62209, 3 CFR, 2003 Comp., p. 347; Notice of August 6, 2004, 69 FR 48763 (August 10, 2004).

**§ 744.1 [Corrected]**

■ 2. In Supplement No. 4 to part 744, under the country of "India", the entities "Indian Space Research Organization (ISRO) headquarters in Bangalore" and "Department of Atomic Energy Agency entities" are revised to read as follows:

**SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST**

Country/Entity	License requirement	License review policy	Federal Register citation
* * * * *			
INDIA			
The following Indian Space Research Organization (ISRO) subordinate entities:			
—ISRO Telemetry, Tracking and Command Network (ISTRAC);	For all items subject to the EAR having a classification other than (1) EAR99 or (2) a classification where the third through fifth digits of the ECCN are "999", e.g. XX999.	Case-by-case review for all items on the CCL.	63 FR 64322, 11/19/98; 65 FR 14444, 03/17/00; 66 FR 50090, 10/01/01; 69 FR 56694, 09/22/04.
—ISRO Inertial Systems Unit (IISU), Thiruvananthapuram;			
—Liquid Propulsion Systems Center; .....			
—Solid Propellant Space Booster Plant (SPROB);			
—Space Applications Center (SAC), Ahmadabad;			
—Sriharikota Space Center (SHAR); .....			
—Vikram Sarabhai Space Center (VSSC), Thiruvananthapuram.			