

## 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:

**2004-26-06 Boeing:** Amendment 39-13918. Docket 2003-NM-186-AD.

**Applicability:** Model 767-300 and 767-300F series airplanes, equipped with General Electric or Pratt & Whitney engines; as listed in Boeing Alert Service Bulletin 767-54A0096, Revision 2, dated December 18, 2003; certificated in any category.

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

To prevent undetected loss of the diagonal brace fuse pins of the wings and consequent increased loads in other wing-to-strut joints, which could result in separation of the struts and engines from the wings, accomplish the following:

#### Rework and Reinstallation

(a) Remove and rework the diagonal braces of the engine nacelles/pylons, rework the aft pitch load fittings of the wings, and reinstall the diagonal braces with new fuse pins and associated hardware by doing all actions specified in steps 3.B.1. through 3.B.11. inclusive, of the Work Instructions of Boeing Alert Service Bulletin 767-54A0096, Revision 2, dated December 18, 2003, as modified by Boeing Service Bulletin Information Notice 767-54A0096 IN 03, dated April 15, 2004. Where the service bulletin directs that the Boeing 767 Airplane Maintenance Manual (AMM) Subject 54-51-01 must be used, either AMM Subject 54-51-01 or AMM Subject 54-51-05 may be used. Do the actions at the later of the times specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Prior to the accumulation of 12,000 total flight cycles, or within 6 years after the date of issuance of the original Airworthiness Certificate or the original Export Certificate of Airworthiness, whichever occurs first.

(2) Within 24 months after the effective date of this AD.

#### Additional Work for Airplanes Modified per the Original Issue of the Service Bulletin

(b) For airplanes modified in accordance with the original issue of Boeing Service Bulletin 767-54-0096, dated August 31, 2000: Within 24 months after the effective date of this AD, replace the bushings of the aft pitch load fittings of the wings with new bushings, rework the aft pitch load fittings, and install new fuse pins, by doing all

actions specified in steps 3.B.1. through 3.B.10. inclusive, of the Work Instructions Additional Work section of Boeing Alert Service Bulletin 767-54A0096, Revision 2, dated December 18, 2003, as modified by Boeing Service Bulletin Information Notice 767-54A0096 IN 03, dated April 15, 2004. Where the service bulletin directs that the Boeing 767 AMM Subject 54-51-01 must be used, either AMM Subject 54-51-01 or AMM Subject 54-51-05 may be used.

#### Alternative Methods of Compliance

(c)(1) In accordance with 14 CFR 39.19, the Manager, Seattle Aircraft Certification Office (ACO), FAA, is authorized to approve alternative methods of compliance (AMOCs) for this AD.

(2) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by a Boeing Company Designated Engineering Representative who has been authorized by the Manager, Seattle ACO, to make such findings.

#### Incorporation by Reference

(d) The actions shall be done in accordance with Boeing Alert Service Bulletin 767-54A0096, Revision 2, December 18, 2003, as modified by Boeing Service Bulletin Information Notice 767-54A0096 IN 03, dated April 15, 2004. 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 Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207. 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).

#### Effective Date

(e) This amendment becomes effective on February 10, 2005.

Issued in Renton, Washington, on December 20, 2004.

**Kevin M. Mullin,**

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

[FR Doc. 05-108 Filed 1-5-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2004-19138; Directorate Identifier 2004-NM-102-AD; Amendment 39-13888; AD 2004-25-01]

RIN 2120-AA64

### Airworthiness Directives; Gulfstream Aerospace LP Model Gulfstream 100 Airplanes; and Model Astra SPX and 1125 Westwind Astra Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Gulfstream Aerospace LP Model Gulfstream 100 airplanes; and Model Astra SPX and 1125 Westwind Astra series airplanes. This AD requires adjusting the ground contact switches of the main landing gear. This AD is prompted by two occurrences of uncommanded deployments of the ground airbrakes during descent. We are issuing this AD to prevent a false "Ground" position signal, which could result in deployment of the ground airbrakes and reduced controllability of the airplane.

**DATES:** This AD becomes effective February 10, 2005.

The incorporation by reference of a certain publication listed in the AD is approved by the Director of the **Federal Register** as of February 10, 2005.

**ADDRESSES:** For service information identified in this AD, contact Gulfstream Aerospace Corporation, P.O. Box 2206, Mail Station D-25, Savannah, Georgia 31402. You can examine this information 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).

**Docket:** The AD docket contains the proposed AD, comments, and any final disposition. You can examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the U.S. Department of Transportation, 400 Seventh Street SW., room PL-401,

Washington, DC. This docket number is FAA-2004-19138; the directorate identifier for this docket is 2004-NM-102-AD.

**FOR FURTHER INFORMATION CONTACT:**

*Technical information:* Dan Rodina, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2125; fax (425) 227-1149.

*Plain language information:* Marcia Walters, [marcia.walters@faa.gov](mailto:marcia.walters@faa.gov).

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 with an AD for certain Gulfstream Aerospace LP Model Gulfstream 100 airplanes; and Model Astra SPX and 1125 Westwind Astra series airplanes. That action, published in the **Federal Register** on October 4, 2004 (69 FR 59147), proposed to require adjusting the ground contact switches of the main landing gear.

**Comments**

We provided the public the opportunity to participate in the development of this AD. No comments have been submitted on the proposed AD or on the determination of the cost to the public.

**Conclusion**

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

**Costs of Compliance**

This AD will affect about 106 airplanes of U.S. registry. The actions will take about 3 work hours per airplane, at an average labor rate of \$65 per work hour. Based on these figures, the estimated cost of the AD for U.S. operators is \$20,670, or \$195 per airplane.

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation

is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

**Regulatory Findings**

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD 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.

For the reasons discussed above, I certify that this AD:

- (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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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 adding the following new airworthiness directive (AD):

**2004-25-01 Gulfstream Aerospace LP (Formerly Israel Aircraft Industries, Ltd.):** Amendment 39-13888. Docket No. FAA-2004-19138; Directorate Identifier 2004-NM-102-AD.

**Effective Date**

(a) This AD becomes effective February 10, 2005.

**Affected ADs**

(b) None.

**Applicability**

(c) This AD applies to Gulfstream Aerospace LP Model Gulfstream 100 airplanes; and Model Astra SPX and 1125 Westwind Astra series airplanes; serial numbers 004 through 127 inclusive; certificated in any category.

**Unsafe Condition**

(d) This AD was prompted by two occurrences of uncommanded deployments of the ground airbrakes during descent. We are issuing this AD to prevent a false "Ground" position signal, which could result in deployment of the ground airbrakes and reduced controllability of the airplane.

**Compliance**

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**Corrective Action**

(f) Within 250 flight hours after the effective date of this AD, adjust the ground contact switches of the left and right main landing gear, in accordance with the Accomplishment Instructions of Gulfstream Alert Service Bulletin 1125-32A-233, Revision 1, dated August 1, 2003. Although the service bulletin referenced in this AD specifies to submit certain information to the manufacturer, this AD does not include that requirement.

**Alternative Methods of Compliance (AMOCs)**

(g) The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

**Related Information**

(h) Israeli airworthiness directive 32-03-08-05, dated September 4, 2003, also addresses the subject of this AD.

**Material Incorporated by Reference**

(i) You must use Gulfstream Alert Service Bulletin 1125-32A-233, Revision 1, dated August 1, 2003, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the **Federal Register** approves the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. For copies of the service information, contact Gulfstream Aerospace Corporation, P.O. Box 2206, Mail Station D-25, Savannah, Georgia 31402. For information on the availability of this material at the National Archives and Records Administration (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). You may view the AD docket at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Nassif Building, Washington, DC.

Issued in Renton, Washington, on December 29, 2004.

Kevin M. Mullin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05-284 Filed 1-5-05; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2004-18771; Directorate Identifier 2002-NM-313-AD; Amendment 39-13890; AD 2004-25-03]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A320 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is superseding an existing airworthiness directive (AD), which applies to certain Airbus Model A320 series airplanes. That AD currently requires repetitive inspections to detect fatigue cracking in certain areas of the fuselage, and corrective action if necessary. That AD also provides for an optional terminating action for the repetitive inspections. This new AD revises the compliance threshold and repetitive intervals for the inspections required by the existing AD. This AD is prompted by a full-scale fatigue survey on the Model A320 fleet. We are issuing this AD to detect and correct fatigue cracking of the fuselage, which could result in reduced structural integrity of the airplane.

**DATES:** This AD becomes effective February 10, 2005.

The incorporation by reference of Airbus Service Bulletin A320-53-1034, Revision 02, dated December 4, 2001, as listed in the AD, is approved by the Director of the Federal Register as of February 10, 2005.

On February 12, 1999 (64 FR 1118, January 8, 1999), the Director of the Federal Register approved the incorporation by reference of Airbus Service Bulletin A320-53-1034, dated March 30, 1992.

**ADDRESSES:** For service information identified in this AD, contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. You can examine this information 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).

**Docket:** The AD docket contains the proposed AD, comments, and any final disposition. You can examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Washington, DC. This docket number is FAA-2004-18771; the directorate identifier for this docket is 2002-NM-313-AD.

#### FOR FURTHER INFORMATION CONTACT:

*Technical information:* Dan Rodina, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW, Renton, Washington 98055-4056; telephone (425) 227-2125; fax (425) 227-1149.

*Plain language information:* Marcia Walters, [marcia.walters@faa.gov](mailto:marcia.walters@faa.gov).

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend part 39 of the Federal Aviation Regulations (14 CFR Part 39) with an AD to supersede AD 99-01-17, amendment 39-10985 (64 FR 1118, January 8, 1999). The existing AD applies to certain Airbus Model A320 series airplanes. The proposed AD was published in the **Federal Register** on August 5, 2004 (69 FR 47393), to require reducing the compliance threshold and repetitive intervals for the inspections required by the existing AD. The proposed AD also provides for an optional terminating action for the repetitive inspections.

#### Comments

We provided the public the opportunity to participate in the development of this AD. We have considered the comment submitted on the proposed AD. The commenter supports the proposed AD.

#### Clarification of Certain Wording in Preamble of Proposed AD

For clarification, we are explaining an inadvertent error in certain wording in the preamble of the proposed AD, which differed from the AD requirements for the optional terminating action specified in paragraph (h) of the proposed AD. In the Summary, Relevant Service Information, and FAA's Determination and Requirements of the proposed AD sections, we specify that

the proposed AD would add an allowable time for the optional terminating action (provided by the existing AD). However, in paragraph (h) of the proposed AD we did not include that "allowable time" for accomplishing the optional terminating action. This decision was based on the fact that the French airworthiness directive referenced in the proposed AD did not specify an allowable time for the optional terminating action, so it was not necessary to state that time in the proposed AD. In light of the above, we have removed the wording "\* \* \*" would add an allowable time for the optional terminating action \* \* \*" from the new actions in the Summary section. The Relevant Service Information and FAA's Determination and Requirements of the proposed AD sections are not restated in the final rule.

In addition, certain other wording in the preamble specifies that the new AD reduces the compliance threshold, but it also extends the compliance threshold for certain airplanes. Therefore, we have changed the wording to specify that the new AD revises the compliance threshold.

#### Clarification of Paragraph (f)(2) of Proposed AD

For clarification, we are explaining an inadvertent error in paragraph (f)(2) of the proposed AD. Paragraph (f)(2) of the proposed AD specified doing the inspection at the later of the times specified in paragraph (f)(1)(i) and (f)(1)(ii) of the AD; the correct citation is paragraphs (f)(2)(i) and (f)(2)(ii) of the AD.

#### Conclusion

We have carefully reviewed the available data, including the comment that has been submitted, and determined that air safety and the public interest require adopting the AD with the changes described previously. We have determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

#### Costs of Compliance

This AD will affect about 269 airplanes of U.S. registry.

The ultrasonic inspection that is required by AD 99-01-17 and retained in this AD takes about 6 work hours per airplane, at an average labor rate of \$65 per work hour. Based on these figures, the estimated cost of the currently required ultrasonic inspection is \$390 per airplane, per inspection cycle.

The optional terminating action specified in Airbus Service Bulletin