

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2004-22-03 Empresa Brasileira de Aeronautica S.A. (EMBRAER):
Amendment 39-13831. Docket No. FAA-2004-18582; Directorate Identifier 2003-NM-35-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective December 3, 2004.

Affected ADs

(b) None.

Applicability: (c) This AD applies to EMBRAER Model EMB-135 and -145 series airplanes, as listed in EMBRAER Service Bulletin 145-57-0034, Change 01, dated January 9, 2002; certificated in any category.

Unsafe Condition

(d) This AD was prompted by a report indicating that trunnion fittings of the wings have been manufactured with a web fillet radius smaller than the minimum required by the design data, which may induce the occurrence of fatigue cracks at the root of the trunnion fillet radius and adjacent structures (e.g., spar and ribs). We are issuing this AD to detect and correct fatigue cracking of the wing trunnion fittings or adjacent structure, which could result in failure of the main landing gear, consequent damage to surrounding structure, and possible loss of control of the airplane during landing.

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.

Service Bulletin

(f) The term "service bulletin," as used in this AD, means the Accomplishment Instructions of EMBRAER Service Bulletin 145-57-0034, Change 01, dated January 9, 2002.

Measurement

(g) Before the accumulation of 2,000 total flight cycles, or within 500 flight hours after the effective date of this AD, whichever occurs later, measure the fillet radius dimension of the trunnion fitting webs of the wings in accordance with paragraph 3.(C), "Part I," of the service bulletin.

(1) If the fillet radius value is equal to or greater than 0.1969 inches (5 mm), no further action is required by this AD.

(2) If a fillet radius value is less than 0.0394 inches (1 mm), before further flight, do the actions specified in paragraph (h) of this AD.

(3) If the fillet radius value is equal to or greater than 0.0394 inch (1 mm), but less than 0.1969 inch (5 mm), before the accumulation of 4,000 total flight cycles, or within 500 flight hours after the effective date of this AD, whichever occurs later, do the actions specified in paragraph (h) of this AD.

Rework and Further Corrective Actions, if Necessary

(h) Rework the fillet radius of the trunnion fitting web to increase the radius, do related investigative actions, and do applicable corrective actions by accomplishing all the actions specified in paragraph 3.(D), "Part II," of the service bulletin. Do the actions in accordance with the service bulletin, except as provided by paragraph (i) of this AD. Any applicable corrective actions must be done before further flight.

(1) If the final fillet radius is less than 0.1969 inch (5 mm) and the radius limit contour is reached, before further flight, repair in accordance with a method approved by either the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate; or the Departamento de Aviao Civil (DAC) (or its delegated agent).

(2) If the final fillet radius is equal to or greater than 0.1969 inches (5 mm), before further flight, shot-peen the reworked area in accordance with paragraph 3.(E), "Part III," of the service bulletin.

(i) If any crack is found in the structure during the related investigative action required by paragraph (h) of this AD, before further flight, repair in accordance with either the Manager, International Branch, ANM-116, Transport Airplane Directorate; or the DAC (or its delegated agent).

Credit for Previous Revisions of Service Bulletin

(j) Except as provided by paragraphs (h)(1) and (i) of this AD, measurements and rework of the fillet radius done before the effective date of this AD in accordance with EMBRAER Service Bulletin 145-57-0034, dated October 11, 2001, are acceptable for compliance with the requirements of this AD.

Alternative Methods of Compliance (AMOC)

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

Related Information

(l) Brazilian airworthiness directive 2001-12-03R1, effective February 4, 2002, also addresses the subject of this AD.

Material Incorporated by Reference

(m) You must use EMBRAER Service Bulletin 145-57-0034, Change 01, dated January 9, 2002, to perform the actions that are required by this AD, unless the AD specifies otherwise. The service bulletin contains these effective pages:

Page number	Revision level shown on page	Date shown on page
1, 2, 9, 10	01	Jan. 9, 2002.
3-8, 11-27	Original	Oct. 11, 2001.

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 Empresa Brasileira de Aeronautica S.A. (EMBRAER),

P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil. 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. 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 October 18, 2004.

Kalene C. Yanamura,

Acting Manager, Transport Airplane

Directorate, Aircraft Certification Service

[FR Doc. 04-23925 Filed 10-28-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 2003-SW-51-AD; Amendment 39-13840; AD 2004-22-12]

RIN 2120-AA64

Airworthiness Directives; MD Helicopters, Inc. Model 600N Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) for MD Helicopters, Inc. Model 600N helicopters that requires replacing the fuselage Station 75 control support bracket assembly (control support bracket), reducing the life limit, and revising the Limitations section of the applicable maintenance manual to state the reduced life limits on certain serial-numbered helicopters. This amendment is prompted by information received from the manufacturer indicating that the fatigue life of the control support bracket is shorter than the original analysis indicated. The actions specified by this AD are intended to prevent failure of the control support bracket and subsequent loss of control of the helicopter.

DATES: Effective December 3, 2004.

FOR FURTHER INFORMATION CONTACT: Fred Guerin, Aviation Safety Engineer, FAA, Los Angeles Aircraft Certification Office, Airframe Branch, 3960 Paramount Blvd., Lakewood, California 90712, telephone (562) 627-5232, fax (562) 627-5210.

SUPPLEMENTARY INFORMATION: A proposal to amend 14 CFR part 39 to include an AD for the specified model

helicopters was published in the **Federal Register** on July 29, 2004 (69 FR 45291). That action proposed to require replacing the control support bracket assembly, part number (P/N) 369N2608-11, on helicopters that have a yaw stability augmentation system (YSAS) installed, with an airworthy assembly, P/N 600N2608-1. The revised time limits are dependent upon the time the YSAS was initially installed. Also proposed was revising the applicable maintenance manual to state the reduced life limits.

The FAA has reviewed MD Helicopters, Inc. Service Bulletin No. SB600N-040, dated September 18, 2003, which describes the revised finite life for the control support bracket on certain serial-numbered helicopters, and replacing them upon reaching the revised life limit, or no later than November 30, 2005, whichever occurs first.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that this AD will affect 13 helicopters of U.S. registry. Replacing the control support bracket will take approximately 40 work hours per helicopter to accomplish at an average labor rate of \$65 per work hour. Required parts will cost approximately \$5,617 per helicopter. Based on these figures, the total estimated cost impact of this AD on U.S. operators is \$106,821 to replace the control support bracket on each helicopter in the fleet.

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 FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, 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:

2004-22-12 MD Helicopters, Inc.:
Amendment 39-13840. Docket No. 2003-SW-51-AD.

Applicability: Model 600N helicopters, serial numbers with a prefix of "RN" and numbers 025, 029, 032, 034 through 038, 040, 041, 045, 048, or 067; or, any Model 600N helicopter with a yaw stability augmentation system (YSAS) installed, and with a control support bracket assembly, part number (P/N) 369N2608-11, installed, certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the fuselage Station 75 control support bracket assembly (control support bracket) and subsequent loss of control of the helicopter, accomplish the following:

(a) Replace the control support bracket, part number 369N2608-11, with an airworthy control support bracket assembly, P/N 600N2608-1, no later than November 30, 2005, or by the time the helicopter reaches the hours time-in-service (TIS) listed in the chart below, whichever occurs first:

Helicopter serial number	Revised finite life (TIS)
RN025	2556
RN029	2377
RN032	2498
RN034	2456
RN035	2243
RN036	2652
RN037	2544
RN038	2531
RN040	2562
RN041	2763
RN045	2015
RN048	2125
RN067	1600

Note: MD Helicopters, Inc. Service Bulletin No. SB600N-040, dated September 18, 2003, pertains to the subject of this AD.

(b) For helicopters with a YSAS installed that are not listed in the previous table, replace the control support bracket, P/N 369N2608-11, with an airworthy control support bracket, P/N 600N2608-1, no later than November 30, 2005, or by the time the helicopter reaches 1,600 hours TIS since the installation of the YSAS.

(c) For helicopters with no YSAS installed, but with a control support bracket, P/N 369N2608-11, installed, replace the control support bracket, with an airworthy control support bracket, P/N 600N2608-1, prior to the installation of a YSAS.

(d) This AD revises the Limitations section of the applicable maintenance manual by reducing the life limit of the control support bracket assembly, part number 369N2608-11, to the life limits stated in paragraph (a) of this AD or to 1,600 hours TIS, whichever occurs first.

(e) 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 Los Angeles Aircraft Certification Office, Transport Airplane Directorate, FAA, for information about previously approved alternative methods of compliance.

(f) This amendment becomes effective on December 3, 2004.

Issued in Fort Worth, Texas, on October 22, 2004.

David A. Downey,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 04-24228 Filed 10-28-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2004-18815; Airspace Docket No. 04-AWP-2]

Modification of Class D and Class E Airspace; Prescott, AZ

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies the Class D and Class E surface areas at Ernest A. Love Field (PRC) in Prescott, AZ. A review of airport operations and airspace made this action necessary. This action modifies the Prescott Class D and Class E surface areas to include airspace extending upward from the surface to and including 7,500 feet MSL within a 6-mile radius of Ernest A. Love Field.

EFFECTIVE DATE: 0901 UTC, January 20, 2005.