

Actions	Compliance	Procedures
(1) Fabricate (using letters at least 1/8-inch in height) a warning placard with the following language and install this placard in the cockpit in full view of the pilot: "When water ballast is used, pilots weighing 105 kg (231.5 lbs) or more including parachute must use the rearmost back rest hinge position!". (2) Determine the forward empty weight CG (i) If the CG is out of acceptable range, prior to further flight, contact the manufacturer at Alexander Schleicher GmbH & Co., Segelflugzeugbau, D-36163 Poppenhausen, Germany for corrective action and perform the corrective action. (ii) If CG is within acceptable range, no further action is necessary.	Warning placard must be installed within 25 hours time-in-service (TIS) after July 27, 2004 (the effective date of this AD). Within the next 50 hours TIS after July 27, 2004 (the effective date of this AD).	Install placard following Alexander Schleicher Technical Note No. 9, dated February 27, 2002. Check forward empty weight of CG following Alexander Schleicher Technical Note No. 9, dated February 27, 2002.

Note: Alexander Schleicher Technical Note No. 9, dated February 27, 2002, changes some pages to the maintenance manual. We recommend that you review those changes.

May I Request an Alternative Method of Compliance?

(f) You may request a different method of compliance or a different compliance time for this AD by following the procedures in 14 CFR 39.19. Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the Manager, Standards Office, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, MO 64106. For information on any already approved alternative methods of compliance, contact Gregory Davison, Aerospace Engineer, Small Airplane Directorate, ACE-112, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: 816-329-4130; facsimile: 816-329-4090.

Does This AD Incorporate Any Material by Reference?

(g) You must do the actions required by this AD following the instructions in Alexander Schleicher Technical Note No. 9, dated February 27, 2002. The Director of the Federal Register approved the incorporation by reference of this service bulletin in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may get a copy from Alexander Schleicher GmbH & Co., Segelflugzeugbau, D-36163 Poppenhausen, Germany. You may review copies at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; 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.

Is There Other Information That Relates to This Subject?

(h) LBA AD 2002-086, dated March 7, 2002, and Alexander Schleicher Technical Note No. 9, dated February 27, 2002 also address the subject of this AD.

Issued in Kansas City, Missouri, on May 27, 2004.

Scott L. Sedgwick,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04-12574 Filed 6-7-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003-CE-66-AD; Amendment 39-13656; AD 2004-11-10]

RIN 2120-AA64

Airworthiness Directives; Przedsiębiorstwo Doswiadczalno-Produkcyjne Szybownictwa "PZL-Bielsko" Model SZD-50-3 "Puchacz" Sailplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA adopts a new airworthiness directive (AD) for all Przedsiębiorstwo Doswiadczalno-Produkcyjne Szybownictwa "PZL-Bielsko" (PZL-Bielsko) Model SZD-50-3 "Puchacz" sailplanes. This AD requires you to inspect the airbrake torque tube for cracks, distortion, and corrosion (herein referred to as damage). This AD also requires you to replace or repair any damaged airbrake torque tube. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Poland. We are issuing this AD to detect and correct damage on the airbrake torque tube, which could result in failure of the airbrake system. This failure could lead to loss of control of the sailplane.

DATES: This AD becomes effective on July 19, 2004.

As of July 19, 2004, the Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation.

ADDRESSES: You may get the service information identified in this AD from Allstar PZL Glider Sp. z o.o., ul. Cieszyńska 325, 43-300 Bielsko-Biala.

You may view the AD docket at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003-CE-66-AD, 901 Locust, Room 506, Kansas City, Missouri 64106. Office hours are 8 a.m. to 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Greg Davison, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; facsimile: (816) 329-4090.

SUPPLEMENTARY INFORMATION:

Discussion

What events have caused this AD? The Civil Aviation Office (CAO), which is the airworthiness authority for Poland, recently notified FAA that an unsafe condition may exist on all PZL-Bielsko Model SZD-50-3 "Puchacz" sailplanes. The CAO reports several instances of the airbrake torque tube breaking and separating from the fuselage during flight, which makes it impossible to retract the airbrake.

An investigation revealed damage at the welded joint between the airbrake torque tube and the fuselage. The damage was caused by material fatigue due to frequent striking load that exceeds the recommended allowances and/or corrosion.

What is the potential impact if FAA took no action? This condition, if not detected and corrected, could cause the airbrake system to fail. Failure of the airbrake system could result in loss of control of the sailplane.

Has FAA taken any action to this point? We issued a proposal to amend

part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all PZL-Bielsko Model SZD-50-3 "Puchacz" sailplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on April 9, 2004 (69 FR 18845). The NPRM proposed to require you to inspect the airbrake torque tube for cracks, distortion, and corrosion (damage) and replace or repair any damaged airbrake torque tube.

Comments

Was the public invited to comment? We provided the public the opportunity to participate in developing this AD. We received no comments on the proposal or on the determination of the cost to the public.

Conclusion

What is FAA's final determination on this issue? We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial corrections. We have determined that these minor corrections:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

Changes to 14 CFR Part 39—Effect on the AD

How does the revision to 14 CFR part 39 affect this AD? On July 10, 2002, the

FAA published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's AD system. This regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

Costs of Compliance

How many sailplanes does this AD impact? We estimate that this AD affects 8 sailplanes in the U.S. registry.

What is the cost impact of this AD on owners/operators of the affected sailplanes? We estimate the following costs to accomplish the inspection:

Labor cost	Parts cost	Total cost per sailplane	Total cost on U.S. operators
5 workhours × \$65 per hour = \$325	Not applicable	\$325	\$2,600

We estimate the following costs to accomplish any necessary replacements that will be required based on the

results of the inspection. We have no way of determining the number of

sailplanes that may need this replacement:

Labor cost	Parts cost	Total cost per sailplane
5 workhours × \$65 per hour = \$325	\$294	\$325 + \$294 = \$619

Regulatory Findings

Will this AD impact various entities? 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.

Will this AD involve a significant rule or regulatory action? 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 the 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 summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary by sending a request to us

at the address listed under **ADDRESSES**. Include "AD Docket No. 2003-CE-66-AD" in your request.

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 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. FAA amends § 39.13 by adding a new AD to read as follows:

2004-11-10 Przedsiębiorstwo Doswiadczalno-Produkcyjne

Szybownictwa "PZL-Bielsko":
Amendment 39-13656; Docket No. 2003-CE-66-AD.

When Does This AD Become Effective?

(a) This AD becomes effective on July 19, 2004.

What Other ADs Are Affected by This Action?

(b) None.

What Sailplanes Are Affected by This AD?

(c) This AD affects Model SZD-50-3 "Puchacz" sailplanes, all serial numbers, that are certificated in any category.

What Is the Unsafe Condition Presented in This AD?

(d) This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Poland. We are issuing this AD to detect and correct cracks in the airbrake torque tube, which could result in failure of the airbrake system. This failure could lead to loss of control of the sailplane.

What Must I Do To Address This Problem?

(e) To address this problem, you must do the following:

Actions	Compliance	Procedures
(1) Using a fluorescent dye-penetrant or dye-check method, inspect the airbrake torque tube for cracks and corrosion pits. Visually inspect for permanent distortions and surface corrosion (damage).	Within the next 25 hours time-in-service (TIS) after July 19, 2004 (the effective date of this AD). Repetitively inspect thereafter at intervals not to exceed 12 calendar months or 100 hours TIS, whichever occurs later.	Follow Allstar PZL Glider SP. Z o.o. Mandatory Bulletin No. BE-052/SZD-50-3/2003 "Puchacz", dated July 22, 2003.
(2) Based on the results of the inspection: (a) Repair the airbrake torque tube if slight, uniform corrosive deposits are found during the inspection required in paragraph (e)(1) of this AD by removing the corrosive deposits with a fine abrasive paper; and (b) Replace the airbrake torque tube if any other damage is found during the inspection required in paragraph (e)(1) of this AD.	Prior to further flight after the inspection in which the damage is found. Continue with the repetitive inspections required in paragraph (e)(1) of this AD after each repair or replacement is made.	Follow Allstar PZL Glider Sp. Z o.o. Mandatory Bulletin No. BE-052/SZD-50-3/2003 "Puchacz", dated July 22, 2003.

May I Request an Alternative Method of Compliance?

(f) You may request a different method of compliance or a different compliance time for this AD by following the procedures in 14 CFR 39.19. Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the Manager, Standards Office, Small Airplane Directorate, FAA. For information on any already approved alternative methods of compliance, contact Greg Davison, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4130; facsimile: (816) 329-4090.

Does This AD Incorporate Any Material by Reference?

(g) You must do the actions required by this AD following the instructions in Allstar PZL Glider Sp. Z o.o. Mandatory Bulletin No. BE-052/SZD-50-3/2003 "Puchacz", dated July 22, 2003. The Director of the Federal Register approved the incorporation by reference of this service bulletin in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may get a copy from Allstar PZL Glider Sp. z o.o., ul. Cieszyńska 325, 43-300 Bielsko-Biala. You may review copies at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; 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.

Is There Other Information That Relates to This Subject?

(h) Republic of Poland AD Number SP-0052-2003-A, dated July 22, 2003, also addresses this subject.

Issued in Kansas City, Missouri, on May 27, 2004.

Scott L. Sedgwick,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04-12573 Filed 6-7-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003-NM-111-AD; Amendment 39-13654; AD 2004-11-08]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A330, A340-200, and A340-300 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A330, A340-200, and A340-300 series airplanes, that requires replacement of flap rotary actuators with modified flap rotary actuators. This action is necessary to prevent fatigue failure of the rotary actuator lever for the flaps, which could result in loss of the flap surface and consequent reduced controllability of the airplane. This action is intended to address the identified unsafe condition.

DATES: Effective July 13, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 13, 2004.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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.federalregister.gov/code_of_federal_regulations/ibr_locations.html).

FOR FURTHER INFORMATION CONTACT: 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.

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 certain Airbus Model A330, A340-200, and A340-300 series airplanes was published in the **Federal Register** on February 13, 2004 (69 FR 7181). That action proposed to require replacement of flap rotary actuators with modified flap rotary actuators.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. The FAA has duly considered the comments received.

Request To Reference Latest Revisions of Service Information

One commenter, the airplane manufacturer, requests that we revise the proposed AD to refer to Airbus Service Bulletins A330-27-3106 (for Model A330 series airplanes) and A340-27-4111 (for Model A340-200 and -300 series airplanes), both Revision 02, both dated February 4, 2004. The proposed AD refers to the original issue of those service bulletins, dated February 18, 2003, as the acceptable sources of service information for the accomplishment of the proposed actions.

We concur with the commenter's request. The procedures in Revision 01, dated April 8, 2003, and Revision 02 of the referenced service bulletins are essentially the same as those in the