

employee in 5 U.S.C. 5541(2), except employees excluded by 5 U.S.C. 5541(2)(ii), (iii), and (xiv) through (xvii) are covered by this subpart.

#### **§ 550.603 Definitions.**

In this subpart—

*Agency* means an executive agency, as defined in 5 U.S.C. 105.

*Employee* has the meaning given that term in 5 U.S.C. 2105.

#### **§ 550.604 Biweekly pay periods and computation of pay.**

Agencies must apply the biweekly pay period and computation of pay provisions of 5 U.S.C. 5504 for employees covered by § 550.602(a).

#### **§ 550.605 Exceptions.**

An agency head or designee may deem that an employee excluded from coverage under § 550.602(b)(2) is covered by 5 U.S.C. 5504 in situations where he or she determines that continuing to calculate the pay of such employees on a monthly or other basis would diminish the level of services provided to the public by the agency. An agency head or designee also may deem that otherwise excluded employees are covered by 5 U.S.C. 5504 when he or she determines that computing the pay of such employees under that provision of law would provide cost savings in agency operations.

#### **§ 550.606 Reporting exceptions to OPM.**

Each agency must notify OPM in writing of any exceptions made under § 550.605.

[FR Doc. 05-9191 Filed 5-9-05; 8:45 am]

BILLING CODE 6325-39-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 25**

[Docket No. NM306; Special Conditions No. 25-287-SC]

#### **Special Conditions: Cessna Aircraft Company Model 650 Citation III Airplanes; High Intensity Radiated Fields (HIRF)**

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

**ACTION:** Final special conditions; request for comments.

**SUMMARY:** These special conditions are issued for Cessna Aircraft Company Model 650 Citation III airplanes modified by Pro Star Aviation, LLC. These airplanes will have novel and

unusual design features when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. The modification incorporates the installation of Honeywell Primus Epic Control Display System (CDS)/Retrofit Electronic Flight Instrument System (EFIS) system, and a second air data computer. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for the protection of these systems from the effects of high-intensity-radiated fields (HIRF). These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** The effective date of these special conditions is April 27, 2005. Comments must be received on or before June 24, 2005.

**ADDRESSES:** Comments on these special conditions may be mailed in duplicate to: Federal Aviation Administration, Transport Airplane Directorate, Attn: Rules Docket (ANM-113), Docket No. NM306, 1601 Lind Avenue, SW., Renton, Washington, 98055-4056; or delivered in duplicate to the Transport Airplane Directorate at the above address. Comments must be marked: Docket No. NM306.

**FOR FURTHER INFORMATION CONTACT:** Greg Dunn, FAA, Airplane and Flight Crew Interface Branch, ANM-111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue, SW., Renton, Washington, 98055-4056; telephone (425) 227-2799; facsimile (425) 227-1149.

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

The FAA has determined that notice and opportunity for prior public comment is impracticable because these procedures would significantly delay certification of the airplanes and thus delivery of the affected aircraft. In addition, the substance of these special conditions has been subject to the public comment process in several prior instances with no substantive comments received. The FAA therefore finds that good cause exists for making these special conditions effective upon issuance; however, we invite interested persons to participate in this rulemaking by submitting written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data. We ask that

you send us two copies of written comments.

We will file in the docket all comments we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning these special conditions. The docket is available for public inspection before and after the comment closing date. If you wish to review the docket in person, go to the address in the **ADDRESSES** section of this preamble between 7:30 a.m. and 4 p.m. Monday through Friday, except Federal holidays.

We will consider all comments we receive on or before the closing date for comments. We will consider comments filed late if it is possible to do so without incurring expense or delay. We may change these special conditions in light of the comments received.

If you want the FAA to acknowledge receipt of your comments on these special conditions, include with your comments a pre-addressed, stamped postcard on which the docket number appears. We will stamp the date on the postcard and mail it back to you.

#### **Background**

On March 18, 2005, Pro Star Aviation, LLC, Manchester Airport, 5 Industrial Drive, Londonderry, NH 03053, applied for a supplemental type certificate (STC) to modify Cessna Aircraft Company Model 650 Citation III airplanes. These models are currently approved under Type Certificate No. A9NM. These Cessna airplane models are small transport category airplanes powered by two Garrett engines. The Cessna Model 650 airplanes carry a total of 15 people (a pilot, co-pilot, and 13 passengers), and have two wing tanks and a fuselage tank. The modification incorporates the installation of the Honeywell Primus Epic CDS/Retrofit EFIS system, EGPWS, and a second air data computer. The avionics/electronics and electrical systems installed in these airplanes have the potential to be vulnerable to high-intensity radiated fields (HIRF) external to the airplanes.

#### **Type Certification Basis**

Under the provisions of 14 CFR 21.101, Pro Star Aviation, LLC must show that the Cessna Aircraft Company Model 650 Citation III airplanes, as changed, continue to meet the applicable provisions of the regulations incorporated by reference in Type Certificate No. A9NM, or the applicable regulations in effect on the date of application for the change. The regulations incorporated by reference in the type certificate are commonly referred to as the "original type certification basis." The certification

basis for the Cessna Model 650 airplanes include part 25 of 14 CFR effective February 1, 1965, as amended by amendments 25–1 through 25–39; §§ 25.901(c) and 25.1199 as amended by Amendments 25–1 through 25–40; §§ 25.1309 and 25.1351(d) as amended by Amendments 25–1 through 25–41; §§ 25.177, 25.255, and 25.703 as amended by Amendments 25–1 through 25–42; § 25.1326 as amended by Amendments 25–1 through 25–43; § 25.1413 as amended by Amendments 25–1 through 25–44; §§ 25.1305 and 25.1529 as amended by Amendments 25–1 through 25–54. In addition, the certification basis includes certain special conditions, exemptions, equivalent levels of safety, or later amended sections of the applicable part 25 that are not relevant to these special conditions.

If the Administrator finds that the applicable airworthiness regulations (*i.e.*, part 25, as amended) do not contain adequate or appropriate safety standards for modified Cessna Aircraft Company Model 650 airplanes, because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

In addition to the applicable airworthiness regulations and special conditions, the Cessna Model 650 airplanes must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36.

Special conditions, as defined in 14 CFR 11.19, are issued in accordance with § 11.38, and become part of the type certification basis in accordance with § 21.101.

Special conditions are initially applicable to the model for which they are issued. Should Pro Star Aviation LLC apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A9NM to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under the provisions of § 21.101.

#### Novel or Unusual Design Features

As noted earlier, the Cessna Aircraft Company Model 650 airplanes modified by Pro Star Aviation will incorporate electrical and electronic systems that will perform critical functions. These systems may be vulnerable to high-intensity radiated fields external to the airplane. The current airworthiness standards of part 25 do not contain adequate or appropriate safety standards for the protection of this equipment from the adverse effects of HIRF.

Accordingly, this system is considered to be a novel or unusual design feature.

#### Discussion

There is no specific regulation that addresses protection requirements for electronic and electrical systems from HIRF. Increased power levels from ground-based radio transmitters and the growing use of sensitive avionics/electronics and electrical systems to command and control airplanes have made it necessary to provide adequate protection.

To ensure that a level of safety is achieved equivalent to that intended by the regulations incorporated by reference, special conditions are needed for the Cessna Model 650 airplanes modified by Pro Star Aviation. These special conditions require that new avionics/electronics and electrical systems that perform critical functions be designed and installed to preclude component damage and interruption of function due to both the direct and indirect effects of HIRF.

#### High-Intensity Radiated Fields (HIRF)

With the trend toward increased power levels from ground-based transmitters, and the advent of space and satellite communications, coupled with electronic command and control of the airplane, the immunity of critical digital avionics/electronics and electrical systems to HIRF must be established.

It is not possible to precisely define the HIRF to which the airplane will be exposed in service. There is also uncertainty concerning the effectiveness of airframe shielding for HIRF. Furthermore, coupling of electromagnetic energy to cockpit-installed equipment through the cockpit window apertures is undefined. Based on surveys and analysis of existing HIRF emitters, an adequate level of protection exists when compliance is shown with either HIRF protection special condition paragraph 1 or 2 below:

1. A minimum threat of 100 volts rms (root-mean-square) per meter electric field strength from 10 KHz to 18 GHz.

a. The threat must be applied to the system elements and their associated wiring harnesses without the benefit of airframe shielding.

b. Demonstration of this level of protection is established through system tests and analysis.

2. A threat external to the airframe of the field strengths identified in the table below for the frequency ranges indicated. Both peak and average field strength components from the table are to be demonstrated.

Frequency	Field strength (volts per meter)	
	Peak	Average
10 kHz–100 kHz .....	50	50
100 kHz–500 kHz .....	50	50
500 kHz–2 MHz .....	50	50
2 MHz–30 MHz .....	100	100
30 MHz–70 MHz .....	50	50
70 MHz–100 MHz .....	50	50
100 MHz–200 MHz .....	100	100
200 MHz–400 MHz .....	100	100
400 MHz–700 MHz .....	700	50
700 MHz–1 GHz .....	700	100
1 GHz–2 GHz .....	2000	200
2 GHz–4 GHz .....	3000	200
4 GHz–6 GHz .....	3000	200
6 GHz–8GHz .....	1000	200
8 GHz–12 GHz .....	3000	300
12 GHz–18 GHz .....	2000	200
18 GHz–40 GHz .....	600	200

The field strengths are expressed in terms of peak of the root-mean-square (rms) over the complete modulation period.

The threat levels identified above are the result of an FAA review of existing studies on the subject of HIRF, in light of the ongoing work of the Electromagnetic Effects Harmonization Working Group of the Aviation Rulemaking Advisory Committee.

#### Applicability

As discussed above, these special conditions are applicable to the Cessna Aircraft Company Model 650 airplanes. Should Pro Star Aviation LLC apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate No. A9NM to incorporate the same or similar novel or unusual design feature, these special conditions would apply to that model as well under the provisions of § 21.101.

#### Conclusion

This action affects only certain novel or unusual design features on the Cessna Model 650 airplanes modified by Pro Star Aviation LLC. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

The substance of the special conditions for these airplanes has been subjected to the notice and comment procedure in several prior instances and has been derived without substantive change from those previously issued. Because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been

submitted in response to the prior opportunities for comment described above.

#### List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

■ The authority citation for these special conditions is as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

#### The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the supplemental type certification basis for the Cessna Aircraft Company Model 650 Citation III airplanes modified by Pro Star Aviation LLC.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF).* Each electronic and electrical system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high intensity radiated fields.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions:* Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on April 27, 2005.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05-9306 Filed 5-9-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2004-19616; Directorate Identifier 2004-CE-38-AD; Amendment 39-14058; AD 2005-08-06]

RIN 2120-AA64

#### Airworthiness Directives; CENTRAIR 101 Series Gliders

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document incorporates corrections to clarify the intent of Airworthiness Directive (AD) 2005-08-06, which was published in the **Federal Register** on April 19, 2005 (70 FR 20271). AD 2005-08-06 applies to all CENTRAIR 101 series gliders. This action clarifies the applicability to point out that the affected hinge pins were installed at manufacturer on serial numbers 101A600 through 101A637 and could be replaced on other serial number gliders with hinge pins that Centrair delivered between February 20, 1995, and February 28, 2001. We are re-issuing the AD in its entirety to help eliminate any confusion that this AD may have created.

**DATES:** *Effective Date:* The effective date of this AD remains June 2, 2005.

**ADDRESSES:** To get the service information identified in this AD, contact CENTRAIR, Aerodome B.P.N. 44, 36300 Le Blanc, France; telephone: 02.54.37.07.96; facsimile: 02.54.37.48.64. To review this service information, go to the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, 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) or call (202) 741-6030.

To view the AD docket, go to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001 or on the Internet at <http://dms.dot.gov>. The docket number is FAA-2004-19089.

**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

On April 11, 2005, FAA issued AD 2005-08-06, Amendment 39-14058 (70 FR 20271, April 19, 2005), which applies to all CENTRAIR 101 series gliders. That AD requires you to replace any installed elevator or aileron hinge pins that are not P/N SY991A hinge pins with P/N SY991A pins.

#### Need for the This Action

The intent of including all serial numbers was to affect those hinge pins that:

1. Were installed at manufacturer on serial numbers 101A600 through 101A637; and

2. Could be replaced on other serial number gliders with hinge pins that Centrair delivered between February 20, 1995, and February 28, 2001.

Consequently, we are clarifying and re-issuing the AD in its entirety to help eliminate any confusion that this AD may have created.

#### 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:

**2005-08-06 Centrair:** Amendment 39-14058; Docket No. FAA-2004-19616; Directorate Identifier 2004-CE-38-AD.

#### When Does This AD Become Effective?

(a) The effective date of this AD (2005-08-06) remains June 2, 2005.

#### What Other ADs Are Affected by This Action?

(b) None.

#### What Gliders Are Affected by This AD?

(c) This AD affects Models 101, 101A, 101AP, and 101P gliders, serial numbers as specified below, that are certificated in any category:

(1) Serial numbers 101A600 through 101A637 where the original manufacturer's hinge pins are installed; and

(2) All gliders that had hinge pins replaced with hinge pins that Centrair delivered between February 20, 1995, and February 28, 2001.

#### 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 France. The actions specified in this AD are intended to replace incorrectly heat-treated elevator or aileron hinge pins, which could result in failure of the elevator or ailerons. Such failure during takeoff, landing, or flight operations could lead to loss of glider control.

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