

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

2002-21-16 Bombardier-Rotax GmbH:

Amendment 39-12923. Docket No. 2002-NE-33-AD.

Applicability: This airworthiness directive (AD) is applicable to Bombardier-Rotax GmbH 912 F, 912 S and 914 F series reciprocating engines. These engines are installed on, but not limited to, Diamond Aircraft Industries, DA20-A1, Diamond Aircraft Industries GmbH Model HK 36 TTS, Model HK 36 TTC, and Model HK 36 TTC-ECO, Iniziative Industriali Italiane S.p.A. Sky Arrow 650 TC and Sky Arrow 650 TCN, Aeromot-Industria Mecanico Metalurgica Ltda., Models AMT-300 and AMT-200S, and Stemme S10-VT aircraft.

Note 1: This AD applies to each engine identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For engines that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not

been eliminated, the request should include specific proposed actions to address it.

Compliance: Compliance with this AD is required as indicated, unless already done.

To prevent damage to the engine valve train due to inadequate venting of the lubrication system which can result in an in-flight engine failure and forced landing, do the following:

Initial Venting and Inspection for Correct Venting

(a) Before further flight, for all Bombardier-Rotax GmbH 912 F, 912 S and 914 F series reciprocating engines, do the following:

(1) Perform venting and inspection for venting of the hydraulic valve tappets in accordance with section 3.1.1 through section 3.1.4 of the Accomplishment Instructions of Rotax Mandatory Service Bulletin (MSB) SB-912-036/SB-914-022, Revision 1, dated August 2002.

(2) Inspect the engine valve train in accordance with section 3.1.5 through section 3.2 of the Accomplishment Instructions of Rotax MSB SB-912-036/SB-914-022, Revision 1, dated August 2002.

Repetitive Venting of the Lubrication System

(b) Thereafter, for all Bombardier-Rotax GmbH 912 F, 912 S and 914 F series reciprocating engines, before starting the engine, vent the lubrication system in accordance with section 3 Accomplishment Instructions of Rotax Service Instruction, No. SI-04-1997, Revision 3, dated September 2002, after any of the following:

(1) The installation of a new or overhauled engine.

(2) The oil system has been opened allowing air to be ingested into the valve train (e.g. an oil change, or the oil pump, oil cooler, or suction line was removed and oil drained from the oil galleries).

(3) The engine oil was changed.

(4) The propeller was rotated one full turn in the wrong direction of rotation.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Engine Certification Office (ECO). Operators must submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, ECO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the ECO.

Special Flight Permits

(d) Special flight permits are not permitted.

Manufacture's Service Information that has been Incorporated by Reference

(e) The venting and inspection must be done in accordance with the following Rotax mandatory service bulletin (MSB) and service instruction (SI):

Document No.	Pages	Revision	Date
MSB SB-912-036/SB-914-022	All	1	August 2002.
Total pages: 6			
SI SI-04-1997	All	3	September 2002.
Total pages: 6			

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 Bombardier-Rotax GmbH, Welser Strasse 32, A-4623 Gunskirchen, Austria; telephone 7246-601-232; fax 7246-601-370. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in Airworthiness Control airworthiness directive No. 113R1.

Effective Date

(f) This amendment becomes effective on October 28, 2002.

Issued in Burlington, Massachusetts, on October 17, 2002.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 02-26912 Filed 10-18-02; 2:39 pm]

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Airspace Docket No. 02-AEA-06]

Amendment Class D Airspace; Huntington, WV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class D airspace at Tri-State/Milton J. Ferguson Field Airport, Huntington, WV. This action is necessary to insure continuous altitude coverage for Instrument Flight Rules (IFR) operations to the airport. The area would be depicted on aeronautical charts for pilot reference.

EFFECTIVE DATE: 0901 UTC May 15, 2003.

FOR FURTHER INFORMATION CONTACT: Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA-520, Air Traffic

Division, Eastern Region, Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434-4809, telephone (718) 553-4521.

SUPPLEMENTARY INFORMATION:**History**

On June 24, 2002 a notice proposing to amend Part 71 of the Federal Aviation Regulations (14 CFR part 71) by extending Class D airspace upward from 3,300 feet mean sea level (MSL) to 3,400 feet MSL at Tri-State/Milton J. Ferguson Field Airport, Huntington, WV, was published in the **Federal Register** (67 FR 42511). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments to the proposal were received. The rule is adopted as proposed. The coordinates for this airspace docket are based on North American Datum 83. Class D airspace area designations for airspace extending upward from the surface are published in Paragraph 5000 of FAA Order

7400.9K, dated August 30, 2002 and effective September 16, 2002. The Class D airspace designation listed in this document will be published in the order.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) extends Class D airspace from the surface of the earth to and including 3,400 feet MSL for aircraft conducting IFR operations at Tri-State/Milton J. Ferguson Field Airport, Huntington, WV. The previous Class D airspace ceiling was 3,300 feet.

The FAA has determined that this regulations only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (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) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation it is certified that this rule will not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR 1959–1963 Comp., p. 389.

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9K, Airspace Designations and Reporting Points, dated August 30, 2002, and effective September 16, 2002, is amended as follows:

Paragraph 5000 Class D airspace areas extending upward from the surface of the earth.

* * * * *

AEA WV D Huntington, WV [REVISED]

Tri-State/Milton J. Ferguson Field Airport, Huntington, WV

(Lat. 38°22'00" N., long. 82°33'29" W.)

That airspace extending upward from the surface to and including 3,400 feet MSL, within a 4-mile radius of Tri-State/Milton J. Ferguson Field Airport.

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Issued in Jamaica, New York on October 8, 2002.

John G. McCartney,

Acting Assistant Manager, Air Traffic Division, Eastern Region.

[FR Doc. 02–27036 Filed 10–22–02; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 95

[Docket No. 30336; Amdt. No. 438]

IFR Altitudes; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

EFFECTIVE DATE: 0901 UTC, November 28, 2002.

FOR FURTHER INFORMATION CONTACT:

Donald P. Pate, Flight Procedure Standards Branch (AMCAFS–420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK. 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK. 73125) telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

The Rule

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user, and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

Conclusion

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 95

Airspace, Navigation (air).

Issued in Washington, DC, on October 18, 2002.

James J. Ballough,

Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows, effective at 0901 UTC.