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):

2005–05–12 BAE Systems (Operations) Limited (Formerly British Aerospace Regional Aircraft): Amendment 39–14001. Docket No. FAA–2004–19751; Directorate Identifier 2002-NM–59–AD.

Effective Date

(a) This AD becomes effective April 15, 2005.

Affected ADs

(b) None.

Applicability

(c) This AD applies to all BAE Systems (Operations) Limited (Formerly British Aerospace Regional Aircraft) Model 4101 airplanes, certificated in any category.

Unsafe Condition

(d) This AD was prompted by reports of corrosion found on the aft fuselage frames due to the ingress of water or liquid. We are issuing this AD to detect and correct corrosion of the aft fuselage frames, which could result in reduced structural integrity of the fuselage.

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.

Inspection and Corrective Actions

(f) Within 12 months after the effective date of this AD, do a detailed inspection of the aft fuselage frames for any discrepancies i.e., corrosion, soft spots, and suspected corrosion), and any applicable corrective actions, in accordance with the Accomplishment Instructions of BAE Systems (Operations) Limited Service Bulletin J41–53–051, dated January 25, 2002; or Revision 1, dated May 2, 2003; except as provided by paragraphs (g) and (i) of this AD. Do any applicable corrective action before further flight.

Note 1: For the purposes of this AD, a detailed inspection is ''an intensive examination of a specific item, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at an intensity deemed appropriate. Inspection aids such as mirrors magnifying lenses, etc. may be necessary. Surface cleaning and elaborate procedures may be required.''

(g) If any corrosion outside the limits defined in the service bulletin is detected: Before further flight, repair the corrosion according to a method approved by either the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the Civil Aviation Authority (or its delegated agent).

Repetitive Inspection

(h) Repeat the inspection and do applicable corrective actions required by paragraph (f) of this AD at intervals not to exceed 24 months.

No Reporting

(i) Although the service bulletins referenced in this AD specify to submit inspection reports to the manufacturer, this AD does not include that requirement.

Alternative Methods of Compliance (AMOCs)

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

Related Information

(k) British airworthiness directive 003–01–2002 also addresses the subject of this AD.

Material Incorporated by Reference

(l) You must use BAE Systems (Operations) Limited Service Bulletin J41–53–051, dated January 25, 2002; or BAE Systems (Operations) Limited Service Bulletin J41–53–051, Revision 1, dated May 2, 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 these documents in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. For copies of the service information, contact British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. 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 February 28, 2005.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05–4414 Filed 3–10–05; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2004–19681; Directorate Identifier 2003–NM–184–AD; Amendment 39–13999; AD 2005–05–10]

RIN 2120–AA64

Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 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 all BAE Systems (Operations) Limited Model BAe 146 series airplanes. This AD requires repetitive detailed inspections for cracking of the elevator ''G'' weight support structure, and repairs if necessary. This AD also provides for an optional terminating action. This AD is prompted by reported cracking of the elevator ''G'' weight support structure. We are issuing this AD to prevent failure of the elevator ''G'' weight support structure with possible consequent jamming of the right-hand elevator servo tab and reduced controllability of the airplane.

DATES: This AD becomes effective April 15, 2005.

The incorporation by reference of certain publications listed in the AD is

approved by the Director of the Federal Register as of April 15, 2005.

ADDRESSES: For service information identified in this AD, contact British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171.

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–2004–19681; the directorate identifier for this docket is 2003–NM–184–AD.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer; International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–1175; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: The FAA proposed to amend 14 CFR Part 39 with an AD for all BAE Systems (Operations) Limited Model BAe 146 series airplanes. That action, published in the **Federal Register** on November 24, 2004 (69 FR 68265), proposed to require repetitive detailed inspections for cracking of the elevator ''G'' weight support structure, and repairs if necessary. That action also proposed to provide an optional terminating action.

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 19 airplanes of U.S. registry. The required actions will take about 1 work hour per airplane, at an average labor rate of $65 per work hour. Based on these figures, the estimated cost of this AD for U.S. operators is $1,235, or $65 per airplane, per inspection cycle.

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):

2005–05–10 BAE Systems (Operations) Limited (Formerly British Aerospace Regional Aircraft): Amendment 39–13999. Docket No. FAA–2004–19681; Directorate Identifier 2003–NM–184–AD.

Effective Date

(a) This AD becomes effective April 15, 2005.

Affected ADs

(b) None.

Applicability

(c) This AD applies to all BAE Systems (Operations) Limited Model BAe 146 series airplanes, certificated in any category.

Unsafe Condition

(d) This AD was prompted by reported cracking of the elevator ''G'' weight support structure. We are issuing this AD to prevent failure of the elevator ''G'' weight support structure with possible consequent jamming of the right-hand elevator servo tab 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.

Verification of Applicability

(f) Before the accumulation of 14,000 total landings, or within 4,000 landings after the effective date of this AD, whichever is later: Perform a one-time general visual inspection of the elevator ''G'' weight support structure to determine whether BAE Systems (Operations) Limited Modification HCM00654A as described in BAE Systems (Operations) Limited Modification Service Bulletin SB.27–037–00654A, Revision 2, dated May 8, 2003, has been incorporated on the airplane. If it can be conclusively determined that HCM00654A has been incorporated, no further action is required by this AD.

Note 1: For the purposes of this AD, a general visual inspection is ''a visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made from within touching distance unless otherwise specified. A mirror may be necessary to enhance visual access to all exposed surfaces in the inspection area. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or droplight and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked.''

Inspection

(g) For airplanes on which BAE Systems (Operations) Limited Modification HCM00654A has not been done and

airplanes on which it cannot be conclusively determined that this modification has been done: Before the accumulation of 14,000 total landings, or within 4,000 landings after the effective date of this AD, whichever is later, except as provided by paragraph (h) of this AD, perform a detailed inspection for cracking of the elevator ''G'' weight support structure, in accordance with the Accomplishment Instructions of BAE Systems (Operations) Limited Inspection Service Bulletin ISB.27–037, Revision 3, dated April 17, 2003.

(1) If no crack is found and the structure has not been repaired previously, repeat the inspection at intervals not to exceed 4,000 landings.

(2) If no crack is found but the structure has been repaired previously, repeat the inspection at applicable intervals specified in Appendix 1 of the service bulletin.

Note 2: For the purposes of this AD, a detailed inspection is ''an intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.''

Post-Incident Inspection

(h) If, before or after any inspection required by this AD, the airplane experiences any incident of nose wheel shimmy; overweight, hard, or high drag/side load landing; flight in severe turbulence; or pitch oscillation: Before further flight, repeat the inspection required by paragraph (g) of this AD. If no crack is found, repeat the inspection required by paragraph (g)(1) or (g)(2) of this AD, as applicable.

Corrective Actions

(i) If any crack is found during any inspection required by paragraph (g) or (h) of this AD, before further flight, replace the elevator ''G'' weight support structure in accordance with paragraph (j) of this AD, or repair the structure in accordance with a method approved by the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, or the Civil Aviation Authority (CAA) (or its delegated representative).

Optional Terminating Action

(j) Replacement of the existing elevator ''G'' weight support structure with a new, improved elevator ''G'' weight support structure in accordance with BAE Systems (Operations) Limited Modification Service Bulletin SB.27–037–00654A, Revision 2, dated May 8, 2003, terminates the repetitive inspections required by paragraph (g) of this AD.

No Reporting Requirement

(k) Although the service bulletins referenced in this AD specify to submit certain information to the manufacturer, this AD does not include that requirement.

Alternative Methods of Compliance

(l) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM–116, is authorized to approve alternative methods of compliance for this AD.

Related Information

(m) British airworthiness directive 006–04–2003 also addresses the subject of this AD.

Material Incorporated by Reference

(n) You must use BAE Systems (Operations) Limited Inspection Service Bulletin ISB.27–037, Revision 3, dated April 17, 2003; to perform the inspections and corrective actions that are required by this AD, unless the AD specifies otherwise. If the replacement of the elevator ''G'' weight support structure is accomplished, you must use BAE Systems (Operations) Limited Modification Service Bulletin SB.27–037–00654A, Revision 2, dated May 8, 2003; to accomplish this replacement. The Director of the Federal Register approves the incorporation by reference of these documents in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. For copies of the service information, contact British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. 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 February 28, 2005.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05–4412 Filed 3–10–05; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2004–19405; Airspace Docket No. 2004–ASW–14]

Modification to Class E Airspace; Mena, AR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; delay of effective dates.

SUMMARY: This action revises the direct final rule; request for comments that was published in the **Federal Register** on Wednesday, December 15, 2004 (69 FR 74953) (FR Doc. 04–27459). It changes the effective date for the revision of the Class E airspace area at Mena Intermountain Municipal Airport, Mena, AR (M39) to provide adequate controlled airspace for the redesigned Non-Directional Beacon (NDB) and the new Instrument Landing System (ILS) and Localizer (LOC) SIAPs.

DATES: The effective date for the direct final rule published at 69 FR 74953, December 15, 2004, is delayed until 0901 UTC, May 12, 2005.

FOR FURTHER INFORMATION CONTACT: Joseph R. Yadouga, Air Traffic Division, Airspace Branch, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193–0520; telephone: (817) 222–5597.

SUPPLEMENTARY INFORMATION:

History

Federal Register document 04–27459, published on Wednesday, December 15, 2004 (69 FR 74953), modified the Class E airspace area at Mena Intermountain Municipal Airport, Mena, AR (M39) to provide adequate controlled airspace for the redesigned Non-Directional Beacon (NDB) and the new Instrument Landing System (ILS) and Localizer (LOC) SIAPs.

Accordingly, pursuant to the authority delegated to me, the effective date for the Mena Intermountain Municipal Airport, Mena, AR (M39) Class E airspace, as published in the **Federal Register** on Wednesday, December 15, 2004 (69 FR 74953) (FR Doc. 04–27459) is delayed until May 12, 2005.

Issued in Fort Worth, TX, on February 24, 2005.

Herman J. Lyons, Jr.,

Area Director, Central En Route and Oceanic Operations.

[FR Doc. 05–4132 Filed 3–10–05; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2004–19696; Airspace Docket No. 04–AAL–24]

Establishment of Class E Airspace; Beluga, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Beluga, AK to provide adequate controlled airspace to contain aircraft executing Special Instrument Approach Procedures. This Rule results in new Class E airspace upward from