Regulatory Impact

The regulations proposed herein would 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 proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (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) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 the following new airworthiness directive:

Empresa Brasileira De Aeronautica S.A. (EMBRAER): Docket 2003–NM–85–AD.

Applicability: Model EMB–135 and EMB–145 series airplanes, certificated in any category, equipped with a main landing gear (MLG) leg strut having a part number (P/N) and serial number (S/N) listed in the table under the heading ''Affected component'' in paragraph 1.B., ''Effectivity,'' of EMBRAER Service Bulletin 145–32–0066, Change 03, dated April 19, 2004.

Compliance: Required as indicated, unless accomplished previously.

To prevent corrosion of the housings of the main landing gear (MLG) leg strut bushings and consequent failure of the MLG, accomplish the following:

Inspection and Investigative and Corrective Actions

(a) Within 5,500 flight hours after the effective date of this AD, perform a detailed inspection of the housings of the MLG leg strut bushings for corrosion per the Accomplishment Instructions of EMBRAER Service Bulletin 145–32–0066, Change 03, dated April 19, 2004.

(1) If no corrosion is found, before further flight, do all applicable actions in and per the Accomplishment Instructions of the service bulletin.

(2) If any corrosion is found, before further flight, do all applicable investigative and corrective actions in and per the Accomplishment Instructions of the service bulletin.

Note 1: For the purposes of this AD, a detailed inspection is defined as: ''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.''

Note 2: EMBRAER Service Bulletin 145–32–0066, Change 03, dated April 19, 2004, refers to Embraer Liebherr Equipamentos do Brasil S.A. (ELEB) Service Bulletin 2309–2006–32–01, Revision 03, dated April 19, 2004, as an additional source of service information for the inspection and repair of the MLG leg strut bushings. The ELEB service bulletin is included within the EMBRAER service bulletin.

Inspections Accomplished Per Previous Issue of Service Bulletin

(b) Inspections and related investigative and corrective actions, accomplished before the effective date of this AD per EMBRAER Service Bulletin 145–32–0066, dated January 8, 2002; Change 01, dated August 15, 2002; or Change 02, dated February 26, 2004; are considered acceptable for compliance with the corresponding action specified in this AD.

Alternative Methods of Compliance

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

Note 3: The subject of this AD is addressed in Brazilian airworthiness directive 2002–12–01, effective January 6, 2003.

Issued in Renton, Washington, on July 9, 2004.

Kevin M. Mullin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04–16681 Filed 7–21–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2004–18661; Directorate Identifier 2003–NM–273–AD]

RIN 2120–AA64

Airworthiness Directives; Short Brothers Model SD3–60, SD3–SHERPA, and SD3–60 SHERPA Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede an existing airworthiness directive (AD) for certain Short Brothers Model SD3–60, SD3–SHERPA, and SD3–60 SHERPA series airplanes. That AD currently requires a one-time inspection to detect cracks and/or corrosion of the gland nut on the shock absorber of the main landing gear (MLG), and follow-on actions. That AD also requires repair or replacement of any cracked/corroded gland nut with a new nut. This proposed AD would add airplanes to the applicability; add repetitive inspections and corrective actions; and provide an optional action that would end the repetitive inspections. This proposed AD is prompted by reports of cracked aluminum alloy gland nuts that had been inspected previously using the existing AD. We are proposing this AD to prevent failure of the aluminum alloy gland nut on the MLG shock absorber, which could cause the MLG to collapse.

DATES: We must receive comments on this proposed AD by August 23, 2004.

ADDRESSES: Use one of the following addresses to submit comments on this proposed AD.

- DOT Docket Web site: Go to *http://dms.dot.gov* and follow the instructions for sending your comments electronically.
- *Government-wide rulemaking Web site:* Go to *http://www.regulations.gov* and follow the instructions for sending your comments electronically.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400

Seventh Street SW., Nassif Building, room PL–401, Washington, DC 20590.

- *Fax:* (202) 493–2251.
- *Hand Delivery:* room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You can get the service information identified in this proposed AD from Short Brothers, Airworthiness & Engineering Quality, P.O. Box 241, Airport Road, Belfast BT3 9DZ, Northern Ireland.

You may examine the contents of this AD docket on the Internet at *http://dms.dot.gov*, or at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL–401, on the plaza level of the Nassif Building, Washington, DC.

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:

Docket Management System (DMS)

The FAA has implemented new procedures for maintaining AD dockets electronically. As of May 17, 2004, new AD actions are posted on DMS and assigned a docket number. We track each action and assign a corresponding directorate identifier. The DMS AD docket number is in the form ''Docket No. FAA–2004–99999.'' The Transport Airplane Directorate identifier is in the form ''Directorate Identifier 2004–NM–999–AD.'' Each DMS AD docket also lists the directorate identifier (''Old Docket Number'') as a cross-reference for searching purposes.

Comments Invited

We invite you to submit any written relevant data, views, or arguments regarding this proposed AD. Send your comments to an address listed under **ADDRESSES.** Include ''Docket No. FAA–2004–18661; Directorate Identifier 2003–NM–273–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to *http://dms.dot.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of our docket Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78), or you may visit *http://dms.dot.gov*.

We are reviewing the writing style we currently use in regulatory documents. We are interested in your comments on whether the style of this document is clear, and your suggestions to improve the clarity of our communications that affect you. You can get more information about plain language at *http://www.faa.gov/language* and *http://www.plainlanguage.gov*.

Examining the Docket

You may examine the AD docket 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 DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the DMS receives them.

Discussion

On October 18, 1996, we issued AD 96–22–09, amendment 39–9797 (61 FR 57311, November 6, 1996), for certain Short Brothers Model SD3–60 and SD3–SHERPA series airplanes. That AD requires a one-time inspection to detect cracks and/or corrosion of the gland nut on the shock absorber of the main landing gear (MLG), and follow-on actions. That AD also requires repair or replacement of any cracked/corroded gland nut with a new nut. That AD was prompted by a report indicating that, due to stress corrosion and cracking of the gland nut on the shock absorber, the MLG collapsed on an in-service airplane. We issued that AD to detect and correct such stress corrosion or cracking in a timely manner and consequent reduced structural integrity of the gland nut, which could result in separation of the shock absorber cylinder from the MLG shock absorber body and, consequently, lead to the collapse of the MLG during landing.

Actions Since Existing AD Was Issued

Since we issued AD 96–22–09, the Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, notified us of cracked aluminum alloy gland nuts on the MLG shock absorber of a Short Brothers Model SD3–60 and an SD3–SHERPA series airplane. These airplanes had been inspected using AD 96–22–09. The cracks were caused by corrosion around the inner shoulder radius of the gland nut. This condition, if not corrected, could cause the aluminum alloy gland nut on the MLG shock absorber to fail. A failed gland nut could cause the MLG to collapse.

The gland nut that is installed on certain Short Brothers Model SD3–60 SHERPA series airplanes is almost identical to that on the Model SD3–60 and SD3–SHERPA series airplanes that had the cracked gland nuts. Therefore, the Model SD3–60 SHERPA series airplanes may be subject to the same unsafe condition that occurred on the Model SD3–60 and SD3–SHERPA series airplanes.

Relevant Service Information

Short Brothers has issued the following service bulletins:

- Service Bulletin SD360 SHERPA–32–1, dated June 30, 2003, for Model SD3–60 SHERPA series airplanes;
- Service Bulletin SD360–32–34, Revision 1, dated June 30, 2003, for Model SD3–60 series airplanes; and
- Service Bulletin SD3 SHERPA–32–2, Revision 1, dated June 30, 2003, for Model SD3–SHERPA series airplanes.

These service bulletins describe procedures for doing a detailed inspection for corrosion and/or cracks of the aluminum alloy gland nut, part number (P/N) 200920604, on the MLG shock absorber, and procedures for doing any necessary corrective actions. The corrective actions include the following:

- Repairing the gland nut if only corrosion is found. The repair involves machining the inner faces and radius of the gland nut to remove the corrosion. If the gland nut is machined to a certain limit and the corrosion has not been removed, the gland nut must be replaced with a new gland nut.
- Replacing the gland nut with a new aluminum alloy gland nut having the same part number if any cracking is found or if the repair does not remove the corrosion.

The Short Brothers service bulletins refer to Messier-Dowty Service Bulletin 32–78SD, Revision 1, dated December 9, 2002. This Messier-Dowty service bulletin gives additional information about how to do the inspection and corrective actions.

Accomplishing the actions specified in these service bulletins will address

the unsafe condition adequately. The CAA mandated Short Brothers Service Bulletin SD360 SHERPA–32–1 and Messier-Dowty Service Bulletin 32–78SD, and issued British airworthiness directive 008–06–2003, to ensure the continued airworthiness of these airplanes in the United Kingdom.

The Short Brothers service bulletins also refer to Messier-Dowty Service Bulletin 32–80SD, dated August 31, 2000, which describes procedures for installing a new steel gland nut that has improved resistance to corrosion. Accomplishing this Messier-Dowty service bulletin eliminates the need to repeat the inspections described in the Short Brothers service bulletins.

FAA's Determination and Requirements of the Proposed AD

These airplane models are manufactured in the United Kingdom and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. We have examined the CAA's findings, evaluated all pertinent information, and determined that AD action is necessary for airplanes of this type design that are certificated for operation in the United States.

Therefore, we are proposing to supersede AD 96–22–09 to continue to require a one-time inspection to detect cracks and/or corrosion of the gland nut on the shock absorber of the MLG, and follow-on actions. This proposed AD would also:

- Add airplanes to the applicability;
- Add repetitive inspections and corrective actions; and
- Provide an optional action that would end the repetitive inspections.

The proposed AD would require you to use the service information described previously to perform these actions, except as discussed under ''Difference Between the Proposed AD and the British Airworthiness Directive.''

Difference Between the Proposed AD and the British Airworthiness Directive

The British airworthiness directive applies only to Short Brothers Model SD3–60 SHERPA series airplanes; however, the unsafe condition also exists on Short Brothers Model SD3–60 and SD3–SHERPA series airplanes. Therefore, this proposed AD would apply to any of these three airplane models with an aluminum alloy gland nut, P/N 200920604, on the MLG shock absorber. This difference has been coordinated with the CAA.

Change to Applicability of Existing AD

We have changed the way the airplane models are listed in the Applicability section of the proposed AD. This change identifies the airplane models as they are published in the most recent type certificate data sheet.

Additional Change to Existing AD

This proposed AD would retain all requirements of AD 96–22–09. Since AD 96–22–09 was issued, the AD format has been revised, and certain paragraphs have been rearranged. As a result, the corresponding paragraph identifiers have changed in this proposed AD, as listed in the following table:

REVISED PARAGRAPH IDENTIFIERS

Requirement in AD 96–22–09	Corresponding requirement in this proposed AD
paragraph (a)	paragraph (g)
paragraph (b)	paragraph (h)
paragraph (c)	paragraph (k)

Change to Labor Rate

We have reviewed the figures we have used over the past several years to calculate AD costs to operators. We have increased the labor rate used in these calculations from $60 per work hour to $65 per work hour. This new figure accounts for various inflationary costs in the airline industry. The cost information, below, reflects this increase in the hourly labor rate.

Costs of Compliance

The following table provides the estimated costs for U.S. operators to comply with this proposed AD.

ESTIMATED COSTS

Action	Work hours	Average labor rate per hour	Parts	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
Inspections required by AD 96–22–095	5	$65	N/A	$325	58	$18,850
Proposed inspections (per inspection cycle).	5	65	N/A	325	85	26,625

Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 the proposed regulation:

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 regulatory evaluation of the estimated costs to comply with this proposed 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, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 removing amendment 39–9797 (61 FR 57311, November 6, 1996) and adding the following new airworthiness directive (AD):

Short Brothers PLC: Docket No. FAA–2004–18661; Directorate Identifier 2003–NM–273–AD.

Comments Due Date

(a) The Federal Aviation Administration must receive comments on this AD action by August 23, 2004.

Affected ADs

(b) This AD supersedes AD 96–22–09, amendment 39–9797.

Applicability

(c) This AD applies to Short Brothers Model SD3–60, SD3–SHERPA, and SD3–60 SHERPA series airplanes, that are equipped with aluminum alloy gland nuts, part number (P/N) 200920604, on the main landing gear (MLG) shock absorber; certificated in any category.

Unsafe Condition

(d) This AD was prompted by reports of cracked aluminum alloy gland nuts on the MLG shock absorber that had been previously inspected using AD 96–22–09. We are issuing this AD to prevent failure of the aluminum alloy gland nut on the MLG shock absorber, which could cause the MLG to collapse.

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 Reference

(f) The term ''service bulletin,'' as used in this AD, means the Accomplishment Instructions of the applicable service bulletin or service bulletins listed in the following paragraphs:

(1) For the requirements specified in paragraphs (g) and (h) of this AD, which are restated from AD 96–22–09, use the applicable service bulletin in Table 1 of this AD.

TABLE 1.—SHORT BROTHERS SERVICE BULLETINS FOR RESTATED REQUIREMENTS

Model	Service bulletin	Revision	Date
SD3–60 series airplanes	SD360–32–34	Original	September 22, 1995.
SD3–60 series airplanes	SD360–32–34	1	June 30, 2003.
SD3–SHERPA series airplanes	SD3 SHERPA–32–2	Original	September 22, 1995.
SD3–SHERPA series airplanes	SD3 SHERPA–32–2	1	June 30, 2003.

(2) For the new requirements specified in paragraphs (i) and (j) of this AD, use the applicable service bulletin in Table 2 of this AD.

TABLE 2.—SHORT BROTHERS SERVICE BULLETINS FOR NEW REQUIREMENTS

Model	Service bulletin	Revision	Date
SD3–60 SHERPA series airplanes	SD360 SHERPA–32–1	Original	June 30, 2003.
SD3–SHERPA series airplanes	SD3 SHERPA–32–2	1	June 30, 2003.
SD3–60 series airplanes	SD360–32–34	1	June 30, 2003.

Note 1: The Messier-Dowty service bulletins listed in Table 3 of this AD are additional sources of service information for certain actions in the Short Brothers Service Bulletins.

TABLE 3.—ADDITIONAL SOURCES OF SERVICE INFORMATION

This Messier-Dowty service bulletin—	Is an additional source of service information for these Short Brothers service bulletins—
32–78SD, dated July 19, 1995	SD360–32–34, dated July 19, 1995. SD3 SHERPA–32–2, dated July 19, 1995.
32–78SD, Revision 1, dated December 9, 2002	SD 360–32–34, Revision 1, dated June 30, 2003. SD3 SHERPA–32–1, dated June 30, 2003.
32–80SD, dated August 31, 2000	SD3 SHERPA–32–1, dated June 30, 2003. SD3 SHERPA–32–2, Revision 1, dated June 30, 2003. SD360–32–34, Revision 1, dated June 30, 2003.

Restatement of the Requirements of AD 96–22–09

(g) For Model SD3–60 series airplanes and Model SD3–SHERPA series airplanes: Within 90 days after December 11, 1996 (the effective date AD 96–22–09), perform a one-time visual and fluorescent dye penetrant inspection to detect cracks and/or corrosion of the gland nut on the shock absorber of the MLG, in accordance with the applicable service bulletin.

(1) If no crack and/or corrosion is detected, no further action is required by paragraph (g) of this AD.

(2) If no crack is detected, but corrosion is detected that is within the limits specified in the service bulletin, prior to further flight, repair the gland nut in accordance with the applicable service bulletin.

(3) If any crack is detected, or if any corrosion is detected that is outside the limits specified in the applicable service bulletin, prior to further flight, replace the gland nut with a new gland nut, in accordance with the applicable service bulletin.

(h) Following accomplishment of paragraph (g) of this AD, prior to further flight, apply grease to the threads of the cylinder, and apply sealant to the inner radius of the gland nut, in accordance with the applicable service bulletin.

New Requirements of this AD

Detailed Inspection and Corrective Action

(i) For all airplanes: Within 4 months after the effective date of this AD, do a detailed inspection of the P/N 200920604 gland nut on the MLG shock absorber for corrosion and/or cracking, and do any applicable corrective action before further flight, in accordance with the applicable service bulletin. Repeat the inspection at intervals not to exceed 12 months.

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.''

Optional Terminating Action

(j) Replacing the aluminum alloy gland, P/N 200920604, with a new steel gland nut, P/N 200920639, in accordance with the applicable service bulletin, terminates the requirements of this AD.

Alternative Methods of Compliance (AMOCs)

(k) The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, 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) British airworthiness directive 008–06–003 also addresses the subject of this AD.

Issued in Renton, Washington, on July 9, 2004.

Kevin M. Mullin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04–16682 Filed 7–21–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2002–NM–224–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A320–211, –212, –214, –232 and –233 Series Airplanes and Model A321–211, –231 and –232 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to certain Airbus Model A320–211, –212, –214, –232, and –233 series airplanes and Model A321–211, –231, and –232 series airplanes. That action would have required a one-time ultrasonic inspection of certain floor crossbeams to determine if they are of nominal thickness; and a structural modification to reinforce any crossbeam that is not of nominal thickness. Since the issuance of the NPRM, the Federal Aviation Administration (FAA) has received new data showing that all airplanes subject to the NPRM have already been inspected and all incorrect crossbeams modified as required, which makes the NPRM unnecessary. Accordingly, the proposed rule is withdrawn.

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 add a new airworthiness directive (AD), applicable to certain Airbus Model A320–211, –212, –214, –232, and –233 series airplanes and Model A321–211, –231, and –232 series airplanes, was published in the **Federal Register** as a Notice of Proposed Rulemaking (NPRM) on March 17, 2004 (69 FR 12596). The proposed rule would have required a one-time ultrasonic inspection of certain floor crossbeams to determine if they were of nominal thickness; and a structural modification to reinforce any crossbeam that was not of nominal thickness. That action was prompted by reports that an Airbus quality check revealed that, due to a process discrepancy during production, certain floor structural crossbeams were manufactured that were not of nominal thickness and were installed in certain airplanes before the discrepancy was discovered. The proposed actions were intended to prevent reduced structural integrity of the floor in the event of rapid depressurization or rapid vertical acceleration.

Actions That Occurred Since the NPRM Was Issued

Since the issuance of the NPRM, the FAA has received reports from Airbus indicating that all airplanes listed in the applicability section of the NPRM (corresponding to paragraph 1.A., ''Effectivity,'' of Airbus Service Bulletin A320–53A1162, including Appendix 01 and Appendix 02, dated June 25, 2002) have been inspected and all incorrect crossbeam fittings have been found and modified in accordance with Airbus Service Bulletin A320–53A1163, dated June 25, 2002.

FAA's Conclusions

Upon further consideration, the FAA has determined that all airplanes subject to the proposed rule have already been inspected and repaired as needed and the proposed rule has become unnecessary. Accordingly, the proposed rule is hereby withdrawn.

Withdrawal of this NPRM constitutes only such action, and does not preclude the agency from issuing another action in the future, nor does it commit the agency to any course of action in the future.

Regulatory Impact

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket 2002–NM–224–AD, published in the **Federal Register** on March 17, 2004 (69 FR 12596), is withdrawn.

Issued in Renton, Washington, on July 13, 2004.

Kalene C. Yanamura,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 04–16683 Filed 7–21–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2004–18660; Directorate Identifier 2003–NM–161–AD]

RIN 2120–AA64

Airworthiness Directives; Raytheon (Beech) Model MU–300–10, 400, 400A, and 400T Series Airplanes; and Raytheon (Mitsubishi) Model Beech MU–300 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Raytheon (Beech) Model MU–300–10, 400, 400A, and 400T series airplanes; and certain Raytheon (Mitsubishi) Model Beech MU–300 airplanes. This proposed AD would require a one-time inspection of certain panels in the spoiler mixer bay for the presence of drain holes, and the addition of at least one new drain hole; and a one-time inspection for discrepancies of the sealant on the relief cutout on the aft pressure bulkhead, and on certain baffles; and corrective actions