

pen site once it is known to be infected with ISA, the State lacked the resources to conduct the comprehensive testing and traceback activities that were necessary to identify newly infected sites. States also lack authority to directly regulate interstate commerce in salmon. Finally, while State quarantines are an important tool, quarantining a pen site does not eliminate the risk, since people may accidentally or deliberately violate the quarantine. Making Federal indemnity funds available served as a powerful incentive for producers to participate in the ISA control program and for owners of infected sites to depopulate, which greatly reduced the risk of further spread of ISA.

The second option would have been to provide financial and technical assistance to Maine's farmed salmon industry for continuation and expansion of a variety of pen site management practices to reduce or eliminate ISA. Although this option may have been less costly than the option we chose, option three below, we did not select it because it did not allow us to advance the ISA control program as quickly or effectively as the chosen option. However, APHIS will continue to work with industry and the State of Maine to further develop ISA management practices to preserve the reduction in ISA levels that the indemnity program achieved.

The third option, to provide indemnity payments to depopulate ISA infected and/or exposed fish, was the one we chose. Depopulation of infected animals, which clears the way for a disinfection program, is currently the single most effective way to eliminate ISA. Under this alternative, producers gained partial compensation for ISA infected and/or exposed fish.

#### *Potential Impact on Small Entities*

The interim rule established a voluntary program that allowed salmon producers in Maine to be paid indemnity for fish destroyed because of ISA. Many producers, as well as a number of processors who render salmon into food and non-food byproducts, may be small businesses. To the extent that the interim rule contributed to the elimination of ISA in Maine, all salmon producers were expected to benefit over the long term. In the short term, the economic impact on producers was expected to vary.

The U.S. Small Business Administration (SBA) defines a small fin fish and/or fish hatchery operation as one that has per-farm gross receipts of less than \$750,000. In 2000, there were 26 Atlantic salmon farms in the

State of Maine. Collectively, they employed approximately 1,200 workers; also, another 2,500 jobs, primarily in processing, rendering, or transport directly depended on these operations. The gross receipts of the affected salmon producers is unknown. However, it is reasonable to assume that most exceeded the SBA small entity threshold because, collectively, these 26 farms produced gross receipts in excess of \$100 million in 2000.

#### **Paperwork Reduction Act**

In accordance with the Paperwork Reduction Act of 1995, (44 U.S.C. 3501 *et seq.*), the information collection and recordkeeping requirements in the interim rule have been approved by the Office of Management and Budget (OMB). The assigned OMB control number is 0579-0192.

#### **Government Paperwork Elimination Act Compliance**

The Animal and Plant Health Inspection Service is committed to compliance with the Government Paperwork Elimination Act (GPEA), which requires Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible. For information pertinent to GPEA compliance related to this rule, please contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 734-7477.

#### **List of Subjects in 9 CFR Part 53**

Animal diseases, Indemnity payments, Livestock, Poultry and poultry products.

#### **PART 53—FOOT-AND-MOUTH DISEASE, PLEUROPNEUMONIA, RINDERPEST, AND CERTAIN OTHER COMMUNICABLE DISEASES OF LIVESTOCK OR POULTRY**

■ Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 53 and that was published at 67 FR 17605-17611 on April 10, 2002.

**Authority:** 7 U.S.C. 8301-8317; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 23rd day of April 2004.

**Peter Fernandez,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 04-9598 Filed 4-27-04; 8:45 am]

BILLING CODE 3410-34-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. 2004-NM-57-AD; Amendment 39-13590; AD 2004-09-01]

RIN 2120-AA64

#### **Airworthiness Directives; Airbus Model A300 B4-600, B4-600R, C4-605R Variant F, and F4-600R (Collectively Called A300-600) Series Airplanes; and Model A310 Series Airplanes**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Airbus Model A300 B4-600, B4-600R, C4 605R Variant F, and F4-600R (collectively called A300-600) series airplanes; and Model A310 series airplanes. This action requires a one-time inspection for damage of the integrated drive generator electrical harness and pyramid arm, and repair if necessary. This action is necessary to prevent electrical arcing within the engine pylon, which could result in loss of the relevant alternating current (AC) bus bar, reduced structural integrity of the engine pylon, and consequent loss of control of the airplane. This action is intended to address the identified unsafe condition.

**DATES:** Effective May 13, 2004.

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

Comments for inclusion in the Rules Docket must be received on or before May 28, 2004.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2004-NM-57-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: [9-anm-iarccomment@faa.gov](mailto:9-anm-iarccomment@faa.gov). Comments sent via the Internet must contain "Docket No. 2004-NM-57-AD" in the subject line and need not be submitted in triplicate. Comments sent via fax or the Internet as attached electronic files must

be formatted in Microsoft Word 97 or 2000 or ASCII text.

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 FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Tony Jopling, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2190; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Airbus Model A300 B4-600, B4-600R, C4-605R Variant F, and F4-600R (collectively called A300-600) series airplanes; and Model A310 series airplanes. The DGAC advises that an operator found structural damage on the forward pyramid arm of an engine pylon during a scheduled maintenance check. Investigation revealed that the damage was caused by chafing of the integrated drive generator (IDG) electrical harness against the structure of the pyramid arm. This condition, if not corrected, could result in loss of the relevant alternating current (AC) bus bar, reduced structural integrity of the engine pylon, and consequent loss of control of the airplane.

#### **Explanation of Relevant Service Information**

Airbus has issued All Operators Telex (AOT) A300-54A6037, dated February 19, 2004 (for Model A300-600 series airplanes); and AOT A310-54A2038, dated February 19, 2004 (for Model A310 series airplanes). These AOTs describe procedures for inspecting for damage of the IDG harness and pyramid arm, and related investigative and corrective actions if necessary.

The inspection involves:

- Determining if the IDG electrical harness bracket on the pylon forward pyramid arm is attached, and if the retaining fasteners are in place and secured.
- Determining if there is contact between the IDG electrical harness and the pyramid arms.
- Determining if there is damage (chafing marks) on the pylon forward pyramid arms; and/or damage (chafing or fretting) to the IDG electrical harness,

especially at the junction between the 4 convoluted conduits that protect each feeder cable, and at the large conduit that protects the 4 cables together.

The related investigative and corrective actions depend on the results of the inspection and include the following:

- If there is no damage found, no further action is specified by the AOT.
- If the bracket on the pylon forward pyramid arm is not attached and/or the fasteners are not in place and secured, the corrective action is to repair the bracket and/or fasteners.
- If there is fretting at the convoluted conduits (with or without contact between the IDG electrical harness and the pyramid arms), the related investigative and corrective actions are to inspect the feeder cables for damage, repair the cables if necessary per the limits defined in the Airbus electrical standard practices manual, and apply self-adhesive protective tape to the IDG electrical harness at possible contact points.
- If there is any contact between the IDG electrical harness and the pyramid arms, without damage to the harness or the arms, and without fretting at the convoluted conduits, the related corrective action is to apply self-adhesive protective tape to the harness at possible contact points.
- If there is any damage to the pyramid arms found during any inspection, the AOTs recommend contacting Airbus before further flight for disposition of repairs.

The DGAC classified these AOTs as mandatory and issued French airworthiness directive F-2004-039, dated March 17, 2004, to ensure the continued airworthiness of these airplanes in France.

#### **FAA's Conclusions**

These airplane models are manufactured in France 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 DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

#### **Explanation of Requirements of Rule**

Since an unsafe condition has been identified that is likely to exist or

develop on other airplanes of the same type design registered in the United States, this AD is being issued to prevent loss of the relevant AC bus bar, reduced structural integrity of the engine pylon, and consequent loss of control of the airplane. This AD requires a one-time inspection for damage of the IDG electrical harness and pyramid arm, and repair if necessary. The actions are required to be accomplished in accordance with the AOTs described previously, except as discussed below.

#### **Differences Among the French Airworthiness Directive, the AOTs, and This AD**

The French airworthiness directive and the AOTs do not define the type of inspection for the IDG electrical harness and pyramid arm. This AD calls the inspection a "detailed inspection." Note 1 of this AD defines this inspection.

Although the French airworthiness directive and the AOTs specify to report inspection results to the manufacturer, this AD does not include such a requirement.

Where the French airworthiness directive and the AOTs specify to contact Airbus for disposition of repairs if there is any damage to the pyramid arms, this AD requires operators to repair per a method approved by either the FAA or the DGAC (or its delegated agent). In light of the type of repair that would be required to address the unsafe condition, and consistent with existing bilateral airworthiness agreements, we have determined that, for this AD, a repair approved by either the FAA or the DCAG would be acceptable for compliance with this AD.

#### **Interim Action**

We consider this AD interim action. If final action is identified later, we may consider further rulemaking then.

#### **Determination of Rule's Effective Date**

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### **Comments Invited**

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the

Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the AD is being requested.
- Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2004-NM-57-AD." The postcard will be date stamped and returned to the commenter.

### Regulatory Impact

The regulations adopted herein 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is

determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### Adoption of the Amendment

■ Accordingly, pursuant to 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. Section 39.13 is amended by adding the following new airworthiness directive:

**2004-09-01 Airbus:** Amendment 39-13590. Docket 2004-NM-57-AD.

**Applicability:** Model A300 B4-600, B4-600R, C4-605R Variant F, and F4-600R (collectively called A300-600) series airplanes; and Model A310 series airplanes; certificated in any category; equipped with GE CF6-80C2 engines.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent loss of the relevant alternating current (AC) bus bar, reduced structural integrity of the engine pylon, and consequent loss of control of the airplane, accomplish the following:

#### All Operators Telex Reference

(a) The term "All Operators Telex," or "AOT," as used in this AD, means the following AOTs, as applicable:

(1) For Model A300 B4-600, B4-600R, C4 605R Variant F, and F4-600R (collectively called A300-600) series airplanes: Airbus AOT A300-54A6037, dated February 19, 2004; and

(2) For Model A310 series airplanes: Airbus AOT A310-54A2038, dated February 19, 2004.

#### Inspection

(b) At the applicable time in paragraph (b)(1) or (b)(2) of this AD, do a one-time detailed inspection for discrepancies of the integrated drive generator (IDG) harness, harness bracket, retaining fasteners, and pyramid arm, in accordance with the applicable AOT.

(1) For airplanes on which Airbus Modification 07591 has not been

incorporated as of the effective date of this AD: Within 10 days after the effective date of this AD.

(2) For airplanes on which Airbus Modification 07591 has been incorporated as of the effective date of this AD: Within 600 flight hours after the effective date of this AD.

**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."

### No Further Action if No Discrepancies Are Found

(c) If there are no discrepancies found during the inspection required by paragraph (b) of this AD, no further action is required by this AD.

### Related Investigative and Corrective Actions for Damaged Electrical Harness

(d) If any discrepancy in the IDG electrical harness, fretting at the convoluted conduits, or contact between the IDG electrical harness and the pyramid arms is found during the inspection required by paragraph (b) of this AD: Before further flight, do the applicable related investigative actions and corrective actions in accordance with the applicable AOT.

### Corrective Action for Damaged Electrical Harness Bracket, Retaining Fasteners, or Pyramid Arm

(e) If any discrepancy in the electrical harness bracket, retaining fasteners, or pyramid arm is found during the inspection required by paragraph (b) of this AD: Before further flight, repair in accordance with a method approved by either the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, or the Direction Générale de l'Aviation Civile (DGAC) (or its delegated agent).

### No Reporting Requirement

(f) Although the referenced AOTs describe procedures for submitting certain information to the manufacturer, this AD does not require those actions.

### Alternative Methods of Compliance

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

### Incorporation by Reference

(h) Unless otherwise specified in this AD, the actions shall be done in accordance with Airbus All Operators Telex (AOT) A300-54A6037, dated February 19, 2004; or A310-54A2038, dated February 19, 2004; as applicable. 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 Airbus, 1 Rond Point Maurice Bellonte,

31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 2:** The subject of this AD is addressed in French airworthiness directive F-2004-039, dated March 17, 2004.

#### Effective Date

(i) This amendment becomes effective on May 13, 2004.

Issued in Renton, Washington, on April 16, 2004.

**Michael J. Kaszycki,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-9241 Filed 4-27-04; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2000-NM-65-AD; Amendment 39-13594; AD 2004-09-05]

RIN 2120-AA64

#### Airworthiness Directives; Cessna Model 500, 501, 550, and 551 Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) applicable to certain Cessna Model 500, 501, 550, and 551 airplanes; that requires a one-time inspection of the brake stator disks to determine to what change level they have been modified (if any), and related investigative and corrective actions if necessary. This AD also requires that the existing markings on the piston housing of certain brake assemblies be eliminated. The actions specified by this AD are intended to prevent wheel lockups that may be caused by cracked or broken brake stator disks becoming jammed in the brake assembly and preventing rotation. Such jamming of the brake assembly may result in reduced directional control or braking performance during landing. This action is intended to address the identified unsafe condition.

**DATES:** Effective June 2, 2004.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 2, 2004.

**ADDRESSES:** The service information referenced in this AD may be obtained from Cessna Aircraft Co., P.O. Box 7706,

Wichita, Kansas 67277. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; at the FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

David Hirt, Aerospace Engineer, Systems and Propulsion Branch, ACE-116W, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4156; fax (316) 946-4407.

#### 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 Cessna Model 500, 501, 550, and 551 airplanes was published as a supplemental notice of proposed rulemaking (NPRM) in the **Federal Register** on November 12, 2003 (68 FR 64002). That action proposed to require a one-time inspection of the brake stator disks to determine to what change level they have been modified (if any), and follow-on actions if necessary. That action also proposed to require that the existing markings on the piston housing of certain brake assemblies be eliminated.

#### Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

#### Request To Withdraw NPRM

One commenter, the manufacturer of the subject brake assemblies, requests that the FAA withdraw the NPRM because the proposed AD is not timely and would place an unnecessary cost burden on operators. The commenter states that the average service life of the subject brake assemblies is 592 landings. With a utilization rate of 20 landings per month, the service life is approximately 30 months. Based on this information, and considering the date of issuance of the Goodrich service bulletins and the distribution of brake stator disks with change-level "B," the commenter estimates that the subject brake stator disks should have been retired from service by July 2002. The commenter states that the proposed AD will have a negative economic effect on subject operators by subjecting them to

an inspection for a component change letter range that should have been removed from service more than 17 months ago.

We do not concur. The information supplied by the commenter does not address the fact that this unsafe condition may still be present on airplanes that are operated at a utilization rate that is lower than average, or defective brakes in spares stocks that may be installed on airplanes in the future. The commenter also does not address the possibility that certain operators may have chosen not to comply with the actions in the Goodrich service bulletins referenced in this AD. We find that it is necessary to proceed with this AD to ensure that all subject stator disks are inspected in a timely manner. No change to the AD is necessary in this regard.

#### Explanation of Additional Changes to Final Rule

Paragraphs (d) and (e) of the supplemental NPRM state, "If repetitive inspections are required by paragraph (c) of this AD, [replacement of the brake assembly with a new or serviceable brake assembly] terminates those inspections." We find that this statement may potentially cause confusion related to the inspection requirements specified in paragraph (f) of this AD. It was not our intent for the terminating action statement included in paragraphs (d) and (e) of this AD to terminate inspections that may be required by paragraph (f) of this AD. For clarification, we have revised paragraphs (d) and (e) of this final rule to state that, if repetitive inspections are required by paragraph (c) of this AD, repetitive inspections are terminated after all brake assemblies on the airplane contain only stator disks stamped with "CHG AI" or "CHG B" or a higher change letter. Related to this change, we have also revised paragraph (f) of this AD to clarify that the actions in paragraph (c) of this AD, which contains follow-on actions to paragraph (b) of this AD, must be accomplished when applicable.

Also, we have revised the Summary section of this final rule to change the term "follow-on actions" to "related investigative and corrective actions." We find that this wording better describes the actions that are required for any stator disk not stamped with "CHG AI" or "CHG B" or a higher change letter.

#### Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air