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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2003–CE–60–AD; Amendment 39–13591; AD 2004–09–02]

RIN 2120–AA64

#### Airworthiness Directives; Glasflugel—Ing. E. Hanle Model GLASFLUGEL Kestrel Sailplanes

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

**ACTION:** Final rule.

**SUMMARY:** The FAA adopts a new airworthiness directive (AD) for all Glasflugel—Ing. E. Hanle (Glasflugel) Model GLASFLUGEL Kestrel sailplanes. This AD requires you to inspect the airbrake actuating shaft for deformation and cracks (herein referred to as damage). If any damage is found, this AD also requires you to repair or replace the airbrake actuation shaft. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. We are issuing this AD to detect and correct damage to the airbrake actuation shaft, which could result in failure of the airbrake control. This failure could lead to loss of control of the sailplane.

**DATES:** This AD becomes effective on June 18, 2004.

As of June 18, 2004, the Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation.

**ADDRESSES:** You may get the service information identified in this AD from Hansjorg Streifeneder, Glasfaser-Flugzeug-Service GmbH, Hofener Weg, D–72582 Grabenstetten, Germany; telephone: 07382 1032; facsimile: 07382 1629; e-mail: [streifly@aol.com](mailto:streifly@aol.com).

You may view the AD docket at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003–CE–60–AD, 901 Locust, Room 506, Kansas City, Missouri 64106. Office hours are 8 a.m. to 4 p.m., Monday through Friday, except Federal holidays.

**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

*What events have caused this AD?* The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified FAA that an unsafe condition may exist on all Glasflugel Model GLASFLUGEL Kestrel sailplanes. The LBA reports that, on one of the affected sailplanes, the airbrakes would not completely open or close.

A visual inspection of that sailplane revealed cracks and deformity (damage) on the airbrake actuating shaft. Incorrect locking forces of the airbrake control caused the damage.

*What is the potential impact if FAA took no action?* If not detected and corrected, damage to the airbrake actuating shaft could result in failure of airbrake control. This failure could lead to loss of control of the sailplane.

*Has FAA taken any action to this point?* We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all Glasflugel Model GLASFLUGEL Kestrel sailplanes. This proposal was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on February 5, 2004 (69 FR 5477). The NPRM proposed to require you to:

- Inspect the airbrake actuation shaft for damage; and
- Repair or replace any damaged airbrake actuation shaft.

#### Comments

*Was the public invited to comment?* We provided the public the opportunity to participate in developing this AD. We received no comments on the proposal or on the determination of the cost to the public.

#### Conclusion

*What is FAA's final determination on this issue?* We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial corrections. We have determined that these minor corrections:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

#### Changes to 14 CFR Part 39—Effect on the AD

*How does the revision to 14 CFR part 39 affect this AD?* On July 10, 2002, the FAA published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's AD system. This regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

#### Costs of Compliance

*How many sailplanes does this AD impact?* We estimate that this AD affects 16 sailplanes in the U.S. registry.

*What is the cost impact of this AD on owners/operators of the affected sailplanes?* We estimate the following costs to accomplish the inspection:

Labor cost	Parts cost	Total cost per sailplane	Total cost on U.S. operators
1 workhour × \$65 per hour = \$65 .....	Not applicable .....	\$65	\$65 × 16 = \$1,040

We estimate the following costs to accomplish any necessary repairs or replacements that will be required based

on the results of the inspection. We have no way of determining the number

of sailplanes that may need this repair or replacement:

Labor cost	Parts cost	Total cost per sailplane
5 workhours × \$65 per hour = \$325 .....	\$40	\$325 + \$40 = \$365

## Regulatory Findings

*Will this AD impact various entities?*

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.

*Will this AD involve a significant rule or regulatory action?* 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 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 summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary by sending a request to us

at the address listed under **ADDRESSES**. Include "AD Docket No. 2003-CE-60-AD" in your request.

## 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:

**2004-09-02 Glasflugel-Ing. E. Hanle:**  
Amendment 39-13591; Docket No. 2003-CE-60-AD.

## When Does This AD Become Effective?

- (a) This AD becomes effective on June 18, 2004.

## What Other ADs Are Affected by This Action?

- (b) None.

## What Sailplanes Are Affected by This AD?

(c) This AD affects Model GLASFLUGEL Kestrel sailplanes, all serial numbers, that are certificated in any category.

## 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 Germany. The actions specified in this AD are intended to detect and correct damage to the airbrake actuation shaft, which could result in failure of the airbrake control. This failure could lead to loss of control of the sailplane.

## What Must I Do To Address This Problem?

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

Actions	Compliance	Procedures
(1) Inspect the airbrake actuation shaft for cracks and deformation (damage).	Within the next 25 hours time-in-service (TIS) after June 18, 2004 the effective date of this AD. Repetitively inspect thereafter at intervals not to exceed 12 calendar months.	Follow H. Streifeneder Technical Note TN 401-26, dated November 22, 2001.
(2) Repair or replace any cracked or deformed airbrake actuation shaft found during any inspection required in paragraph (e)(1) of the AD.	Before further flight after any inspection required in paragraph (e)(1) of this AD in which damage is found. Continue with repetitive inspections after repairs or replacements are made.	Follow H. Streifeneder Technical Note TN 401-26, dated November 22, 2001.

## May I Request an Alternative Method of Compliance?

(f) You may request a different method of compliance or a different compliance time for this AD by following the procedures in 14 CFR 39.19. Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the Manager, Standards Office, Small Airplane Directorate, FAA. For information on any already approved alternative methods of compliance, 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.

## Does This AD Incorporate Any Material by Reference?

(g) You must do the actions required by this AD following the instructions in H. Streifeneder Technical Note TN 401-26, dated November 22, 2001. The Director of the Federal Register approved the incorporation by reference of this service bulletin in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may get a copy from Hansjorg Streifeneder, Glasfaser-Flugzeug-Service GmbH, Hofener Weg, D-72582 Grabenstetten, Germany; telephone: 07382 1032; facsimile: 07382 1629; e-mail: [streifly@aol.com](mailto:streifly@aol.com). You may review copies at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call

(202) 741-6030, or 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).

## Is There Other Information That Relates to This Subject?

(h) Germany AD Number 2002-051, dated March 7, 2002, also addresses the subject of this AD.

Issued in Kansas City, Missouri, on April 29, 2004.

**Scott L. Sedgwick,**

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

[FR Doc. 04-10180 Filed 5-6-04; 8:45 am]

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