

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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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 removing amendment 39-11172 (64 FR 26835, May 18, 1999), and by adding a new airworthiness directive (AD), amendment 39-13244, to read as follows:

2003-15-02 Empresa Brasileira de Aeronautica S.A. (EMBRAER):

Amendment 39-13244. Docket 2000-NM-257-AD. Supersedes AD 99-11-01, Amendment 39-11172.

Applicability: All Model EMB-135 and EMB-145 series airplanes, certificated in any category.

Note 1: This AD applies to each airplane 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 airplanes 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 (e) 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: Required as indicated, unless accomplished previously.

To prevent failure of the bleed-air check valves on the bleed low-pressure line of the engines, which could result in engine compressor stall and consequent flameout of the affected engines; accomplish the following:

Restatement of Requirements of AD 99-11-01, Amendment 39-11172

(a) For Model EMB-145 series airplanes: Prior to the accumulation of 2,000 total flight hours, or within 100 flight hours after June 2, 1999 (the effective date of AD 99-11-01, amendment 39-11172), whichever occurs later: Replace the bleed-air check valves having part number (P/N) 816603-1, and associated gaskets having P/N 24096-250C, on the bleed low-pressure lines of the left- and right-hand engines, with new parts having the same P/Ns; per EMBRAER Alert Service Bulletin 145-36-A011, dated March 19, 1999; or EMBRAER Service Bulletin 145-36-0011, dated January 28, 2000; or Change 01, dated March 23, 2000. Thereafter, repeat the replacement at intervals not to exceed 2,000 flight hours in accordance with the service bulletin.

New Requirements of This AD

Note 2: The replacement interval of 2,000 flight hours specified in paragraph (a) of this AD is required only until the requirements of paragraph (b) of this AD are implemented.

Replacement

(b) *For all airplanes:* Replace any bleed-air check valve having either P/N 816603-1 or P/N 816603-2 on the bleed-air low-pressure lines of the left- and right-hand engines, and associated gaskets having P/N 24096-250C, with a new check valve and associated gaskets having the same P/N, or a new improved check valve having P/N 816603-3 (including reworking the flanges) and associated gaskets having P/N 24096-250C; per EMBRAER Service Bulletin 145-36-0011, dated January 28, 2000; or Change 01, dated March 23, 2000; at the later of the times specified in paragraph (b)(1) or (b)(2) of this AD:

(1) Before the accumulation of 1,600 total flight hours, or within 1,600 flight hours since the last replacement of the check valve, whichever occurs later; or

(2) Within 200 flight hours after the effective date of this AD.

Note 3: Where there are differences between this AD and the service bulletin, this AD prevails.

Repetitive Replacement

(c) *For all airplanes:* If the bleed-air check valves on the bleed-air low-pressure lines of the left- and right-hand engines have been replaced with check valves having either P/N 816603-1 or P/N 816603-2 per paragraph (b) of this AD, repeat the replacement requirements of paragraph (b) of this AD, at intervals not to exceed 1,600 flight hours, until the requirements of paragraph (d) of this AD are accomplished.

Optional Terminating Actions

(d) Replace bleed-air check valves on the bleed-air low-pressure lines of the left- and right-hand engines, having P/N 816603-1 or P/N 816603-2, with new improved bleed-air check valves having P/N 816603-3 (including reworking the flanges), per EMBRAER Service Bulletin 145-36-0011, dated January 28, 2000; or Change 01, dated March 23, 2000. Accomplishment of these

actions constitutes terminating action for the requirements of this AD.

Alternative Methods of Compliance

(e) 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, International Branch, ANM-116, Transport Airplane Directorate, FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

Special Flight Permits

(f) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(g) The actions shall be done in accordance with EMBRAER Alert Service Bulletin 145-36-A011, dated March 19, 1999; EMBRAER Service Bulletin 145-36-0011, dated January 28, 2000; or EMBRAER Service Bulletin 145-36-0011, Change 01, dated March 23, 2000; as applicable.

(1) The incorporation by reference of EMBRAER Service Bulletin 145-36-0011, dated January 28, 2000; and EMBRAER Service Bulletin 145-36-0011, Change 01, dated March 23, 2000; is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The incorporation by reference of EMBRAER Alert Service Bulletin 145-36-A011, dated March 19, 1999, was approved previously by the Director of the Federal Register as of June 2, 1999 (64 FR 26835, May 18, 1999).

(3) Copies may be obtained from Empresa Brasileira de Aeronautica S.A. (EMBRAER), P.O. Box 343—CEP 12.225, Sao Jose dos Campos—SP, Brazil. 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 5: The subject of this AD is addressed in Brazilian airworthiness directive 1999-04-01R2, dated May 30, 2000.

Effective Date

(h) This amendment becomes effective on August 28, 2003.

Issued in Renton, Washington, on July 15, 2003.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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