

Rules and Regulations

Federal Register

Vol. 64, No. 7

Tuesday, January 12, 1999

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-SW-43-AD; Amendment 39-10990; AD 98-19-13]

Airworthiness Directives; Bell Helicopter Textron Canada (BHTC) Model 407 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 98-19-13, which was sent previously to all known U.S. owners and operators of BHTC Model 407 helicopters by individual letters. This AD requires, on or before the accumulation of 50 hours total time-in-service (TIS) on the engine-to-transmission driveshaft (driveshaft), replacing the driveshaft with an airworthy driveshaft. This amendment is prompted by analysis and test data which revealed that the life limit of the driveshaft is less than that which is stated in the applicable maintenance manual. The actions specified by this AD are intended to prevent failure of the driveshaft, loss of engine drive to the rotor system, damage to critical structural components, and subsequent loss of control of the helicopter.

DATES: Effective January 27, 1999. To all persons except those persons to whom it was made immediately effective by priority letter AD 98-19-13, issued on September 2, 1998, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before March 15, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the

Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-43-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

FOR FURTHER INFORMATION CONTACT: Mr. Jurgen Priester, Aerospace Engineer, Rotorcraft Certification Office, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas, 76137, telephone (817) 222-5159, fax (817) 222-5783.

SUPPLEMENTARY INFORMATION: On September 2, 1998, the FAA issued priority letter AD 98-19-13, applicable to BHTC Model 407 helicopters, which requires, on or before the accumulation of 50 hours total TIS on the driveshaft, replacing the driveshaft with an airworthy driveshaft. That action was prompted by analysis and test data that revealed that the life limit of the driveshaft is less than that which is stated in the applicable maintenance manual. The published life limit has been 2,500 hours TIS; however, new data indicate the life limit should be approximately 50 hours TIS. This condition, if not corrected, could result in failure of the driveshaft, loss of engine drive to the rotor system, damage to critical structural components, and subsequent loss of control of the helicopter.

The FAA has reviewed Bell Helicopter Textron Alert Service Bulletin No. 407-98-19, dated June 19, 1998, which describes procedures for replacing the driveshaft, part number (P/N) 206-340-300-103, with driveshaft, P/N 206-340-300-105, which has a longer service life.

Since the unsafe condition described is likely to exist or develop on other BHTC Model 407 helicopters of the same type design, the FAA issued priority letter AD 98-19-13 to prevent failure of the driveshaft, loss of engine drive to the rotor system, damage to critical structural components, and subsequent loss of control of the helicopter. The AD requires, on or before the accumulation of 50 hours total TIS on the driveshaft, replacing the driveshaft, P/N 206-340-300-103, with an airworthy driveshaft, P/N 206-340-300-105. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the helicopter. Therefore, replacing the driveshaft is

required within 50 hours, and this AD must be issued immediately.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual letters issued on September 2, 1998, to all known U.S. owners and operators of BHTC Model 407 helicopters. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective to all persons.

The FAA estimates that 146 helicopters of U.S. registry will be affected by this AD, that it will take approximately 5 work hours per helicopter to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$24,500 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$3,620,800.

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 should 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.

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 No. 98-SW-43-AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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, 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 a new airworthiness directive to read as follows:

AD 98-19-13 Bell Helicopter Textron

Canada: Amendment 39-10990. Docket No. 98-SW-43-AD.

Applicability: Model 407 helicopters, with engine-to-transmission driveshaft (driveshaft), part number (P/N) 206-340-300-103, installed, certificated in any category.

Note 1: This AD applies to each helicopter 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 helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

Compliance: Required prior to or upon accumulating 50 hours total time-in-service (TIS) on driveshaft, P/N 206-340-300-103.

To prevent failure of the driveshaft, which could result in loss of engine drive to the rotor system, damage to critical structural components, and subsequent loss of control of the helicopter, accomplish the following:

(a) Remove driveshaft, P/N 206-340-300-103, and replace it with an airworthy driveshaft, P/N 206-340-300-105. Driveshaft, P/N 206-340-300-103, must not be installed on any helicopter.

Note 2: Bell Helicopter Textron Alert Service Bulletin No. 407-98-19, dated June 19, 1998, pertains to the subject of this AD. Removed driveshaft, P/N 206-340-300-103, should be destroyed.

(b) This AD revises the Airworthiness Limitations section of the maintenance manual by establishing a retirement life of 5,000 hours TIS for driveshaft, P/N 206-340-300-105. A component record card or equivalent record for this P/N must also be established.

(c) 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, Rotorcraft Certification Office, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Certification Office.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Certification Office.

(d) Special flight permits will not be issued.

(e) This amendment becomes effective on January 27, 1999. To all persons except those persons to whom it was made immediately effective by Priority Letter AD 98-19-13, issued September 2, 1998, which contained the requirements of this amendment.

Note 4: The subject of this AD is addressed in Transport Canada (Canada) AD CF-98-25, August 25, 1998.

Issued in Fort Worth, Texas, on January 5, 1999.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-615 Filed 1-11-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 98-AWP-32]

Revocation of Class E Airspace, Victorville, George AFB, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule

SUMMARY: This action will revoke the Class E airspace at Victorville, George Air Force Base (AFB), CA. In order to meet federal mandates with regard to Base Realignment and Closure (BRAC), the U.S. Air Force ceased air operations at George AFB in December 1992, thereby eliminating the criteria for Class E airspace.

EFFECTIVE DATE: 0901 UTC March 25, 1999.

FOR FURTHER INFORMATION CONTACT: Debra Trindle, Air Traffic Division, Airspace Specialist, AWP-520.10, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725-6613.

SUPPLEMENTARY INFORMATION:

History

In order to meet federal mandates with regard to Base Realignment and Closure, the U.S. Air Force ceased air operations at George AFB in December 1992. The intended effect of this action is to revoke the Class E airspace associated with George AFB airspace as published in Paragraph 6005 of FAA Order 7400.9F dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be subsequently removed from this Order.