

hours TIS for mast, P/N 206-040-535-005; 5,000 hours TIS for mast, P/N 206-040-535-101; and 5,000 hours TIS for mast, P/N 206-040-535-105, before they must be retired. The actions would be required to be accomplished in accordance with the service bulletin described previously.

The FAA estimates that 711 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately (1) 8 work hours per helicopter to replace the mast and 10 work hours per helicopter to replace the trunnion due to the new method of determining the retirement life required by this AD; (2) 2 work hours per helicopter to create the component history card or equivalent record (record); (3) 10 work hours per helicopter to maintain the record each year, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$9,538 per mast and \$2,083 per trunnion. Based on these figures, the total cost impact of the proposed AD on U.S. operators for the first year is estimated to be \$2,016,989, and each subsequent year to be \$1,945,889. These costs assume creation and maintenance of the records for all the fleet the first year, replacement of the mast and trunnion in one-sixth of the fleet each year, and creation of new records for that one-sixth of the fleet and maintenance of the records for all the fleet each subsequent year.

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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.

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

Bell Helicopter Textron, a Division of Textron Canada Ltd.: Docket No. 95-SW-36-AD.

Applicability: Model 206L, 206L-1, 206L-3, and 206L-4 helicopters, with main rotor mast (mast), part number (P/N) 206-040-535-001, -005, -101, or -105, installed, or main rotor trunnion (trunnion), P/N 206-011-120-103, 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 (f) 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 within 100 hours time-in-service after the effective date of this AD, unless accomplished previously.

To prevent fatigue failure of the mast or trunnion, which could result in loss of the main rotor system and subsequent loss of control of the helicopter, accomplish the following:

(a) Create a component history card or an equivalent record for the affected mast and trunnion.

(b) Determine the accumulated Retirement Index Number (RIN) to date based on the number of takeoffs and external load lifts (torque events) for parts in service in accordance with paragraphs 1 and 2 of the Accomplishment Instructions of Bell Helicopter Textron, Inc. Alert Service Bulletin (ASB) No. 206L-94-99, Revision A, dated May 1, 1995. Record this accumulated RIN on the component history card.

(c) After complying with paragraphs (a) and (b) of this AD, during each operation thereafter, maintain a count of the number of external load lifts and the number of takeoffs performed and at the end of each day's operations, increase the accumulated RIN on the component history cards as follows:

(1) For the trunnion,

(i) Increase the RIN for the Model 206, 206L-1, and 206L-3 helicopters by 1 for each torque event.

(ii) Increase the RIN for the Model 206L-4 helicopters by 2 for each torque event.

(2) For the mast, increase the RIN for the Model 206L, 206L-1, 206L-3, and 206L-4 helicopters by 1 for each torque event.

(d) Remove the trunnion from service on or before attaining the maximum accumulated RIN in accordance with Table 1 of the Accomplishment Instructions of Bell Helicopter Textron, Inc. ASB No. 206L-94-99, Revision A, dated May 1, 1995.

(e) Remove the mast from service on or before attaining the maximum accumulated RIN or the flight hour service life limit, whichever occurs first, in accordance with Table 2 of the Accomplishment Instructions of Bell Helicopter Textron, Inc. ASB No. 206L-94-99, Revision A, dated May 1, 1995.

(f) 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, Rotorcraft Directorate, 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 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Certification Office.

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

Issued in Fort Worth, Texas, on November 5, 1996.

Eric Bries,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 96-29103 Filed 11-13-96; 8:45 am]

BILLING CODE 4910-13-P

14 CFR Part 39

[Docket No. 94-SW-25-AD]

Airworthiness Directives; Bell Helicopter Textron, Inc. Model 214ST Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the superseding of an existing airworthiness

directive (AD), applicable to Bell Helicopter Textron, Inc. (BHTI) Model 214ST helicopters, that currently establishes a mandatory retirement life of 50,000 high-power events for the main rotor mast (mast). This action would require changing the retirement life for the mast from high-power events to a maximum accumulated Retirement Index Number (RIN) of 140,000 and apply this RIN to an additional part numbered mast. This proposal is prompted by fatigue analyses and tests that show certain masts fail sooner than originally anticipated because of an unanticipated high number of takeoffs and external load lifts in addition to the deterioration in strength that occurs under other operating conditions. The actions specified by the proposed AD are intended to prevent fatigue failure of the mast, which could result in failure of the main rotor system and subsequent loss of control of the helicopter.

DATES: Comments must be received by January 13, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Assistant Chief Counsel, Attention: Rules Docket No. 94-SW-25-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, Texas 76101.

FOR FURTHER INFORMATION CONTACT: Mr. Uday Garadi, Aerospace Engineer, FAA, Rotorcraft Certification Office, Rotorcraft Directorate, Fort Worth, Texas 76193-0170, telephone (817) 222-5157, fax (817) 222-5959.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 94-SW-25-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 94-SW-25-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

Discussion

On July 13, 1994, the FAA issued AD 94-15-04, Amendment 39-8975, (59 FR 37155, July 21, 1994), to require changing the method of calculating the retirement life for the mast, part number (P/N) 214-040-090-109, from flight hours to high-power events calculated using the number of takeoffs and external load lifts (torque events). That action was prompted by fatigue analysis and retesting that showed certain masts fail sooner than originally anticipated because of an unanticipated high number of takeoffs and external load lifts performed with those masts in addition to the anticipated deterioration in strength that occurs under other operating conditions. The requirements of that AD are intended to prevent fatigue failure of the mast, which could result in failure of the main rotor system and subsequent loss of control of the helicopter.

Since the issuance of that AD, BHTI has issued BHTI Information Letter GEN-94-54, dated April 15, 1994, Subject: Retirement Index Number (RIN) For Cycle Lived Components, which introduces a different method of accounting for fatigue damage on components that have shortened service lives as a result of frequent torque events. Additionally, BHTI has issued BHTI Alert Service Bulletin (ASB) 214ST-94-67, dated November 7, 1994, which is applicable to Model 214ST helicopters, which describes procedures for creation of a component history card within the next 25 hours time-in-service (TIS) for the Model 214ST helicopters. The ASB also describes an alternate retirement life of a maximum RIN count

of 140,000 for the Model 214ST mast. Finally, the ASB includes an additional P/N for the main rotor mast which was not included in the existing AD.

Since an unsafe condition has been identified that is likely to exist or develop on other BHTI Model 214ST helicopters of the same type design, the proposed AD would supersede AD 94-15-04 to require creation of a component history card using RIN counts, and establish a retirement life of a maximum accumulated RIN for the masts of 140,000.

The FAA estimates that nine helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately (1) 48 work hours per helicopter to replace the mast; (2) 2 work hours per helicopter to create the component history card or equivalent record (record); and (3) 10 work hours per helicopter to maintain the record each year, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$17,267 per mast. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$36,700 for the first year and \$35,800 for each subsequent year. These costs assume replacement of the mast in one-sixth of the fleet each year, creation and maintenance of the records for all the fleet the first year, and creation of one-sixth of the fleet's records and maintenance of the records for all the fleet each subsequent year.

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 removing Amendment 39-8975 (59 FR 37155, July 21, 1994), and by adding a new airworthiness directive (AD), to read as follows:

Bell Helicopter Textron, Inc. (BHTI): Docket No. 94-SW-25AD. Supersedes AD 94-15-04, Amendment 39-8975.

Applicability: Model 214ST helicopter with main rotor mast (mast), part number (P/N) 214-040-090-109 or P/N 214-040-090-121, 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 (e) 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 within 25 hours time-in-service (TIS) after the effective date of this AD, unless accomplished previously.

To prevent fatigue failure of the mast, which could result in failure of the main rotor system and subsequent loss of control of the helicopter, accomplish the following:

(a) Create a component history card or an equivalent record for the affected mast.

(b) Determine and record the accumulated Retirement Index Number (RIN) to date on the mast as follows:

(1) For operators with mast, P/N 214-040-090-109, multiply the takeoffs and external load lifts (high-power events) total to date by 2.8 (round up the result to the next whole number).

(2) For operators with mast, P/N 214-040-090-121, multiply the factored flight hour

total to date by 14 (round up the result to the next whole number).

(3) Record on the component history card the accumulated RIN.

Note 2: BHTI Alert Service Bulletin (ASB) No. 214ST-94-67, dated November 7, 1994, pertains to this subject.

(c) After complying with paragraphs (a) and (b) of this AD, during each operation thereafter, maintain a count of the number and type of external load lifts and the number of takeoffs performed, and at the end of each day's operations, increase the accumulated RIN on the component history card as follows:

(1) Increase the RIN by 2 for each takeoff.

(2) Increase the RIN by 2 for each external load lift operation; or, increase the RIN by 4 for each external load lift operation in which the load is picked up at a higher elevation and released at a lower elevation, and the difference in elevation between the pickup point and the release point is 200 feet or greater.

(d) Remove the mast, P/N 214-040-090-109 or -121, from service on or before attaining an accumulated RIN of 140,000. The mast is no longer retired based upon flight hours. This AD revises the Airworthiness Limitations Section of the maintenance manual by establishing a new retirement life for the mast of 140,000 RIN.

(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, Rotorcraft Certification Office, FAA, Rotorcraft Directorate. 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.

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

Issued in Fort Worth, Texas, on November 5, 1996.

Eric Bries,

*Acting Manager, Rotorcraft Directorate,
Aircraft Certification Service.*

[FR Doc. 96-29104 Filed 11-13-96; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF LABOR**Occupational Safety and Health Administration****29 CFR Part 1952****Supplement to California Plan; Extension of Comment Period**

AGENCY: Occupational Safety and Health Administration (OSHA), Department of Labor.

ACTION: Extension of comment period.

SUMMARY: On September 13, 1996, OSHA published a notice requesting comments on the California State standard on hazard communication, which incorporates Proposition 65, the Safe Drinking Water and Toxic Enforcement Act (61 FR 48443). OSHA requested that comments be filed by November 12, 1996. OSHA has received a number of requests for extension of the comment period. In response to these requests, OSHA is extending the comment period for two weeks, until November 26, 1996.

DATES: Written comments and requests for an informal hearing may be filed with the OSHA Docket Office by November 26, 1996.

ADDRESSES: Comments should be submitted in quadruplicate to Docket T-032, Docket Office, Room N-2625, U.S. Department of Labor, OSHA, 200 Constitution Avenue, N.W., Washington, DC 20210. Comments under 10 pages long may be sent by telefax to the Docket Office at 202-219-55046 but must be followed by a mailed submission in quadruplicate. Written submissions must clearly identify the issues which are addressed and the position taken with respect to each issue. The State will be given an opportunity to respond to the public comments. Interested persons may request an informal hearing concerning OSHA's consideration of the plan change. Such requests also must be received on or before November 26, 1996 and should be submitted in quadruplicate to the Docket Office, Docket T-032, at the address noted above.

FOR FURTHER INFORMATION CONTACT: Ann Cyr, Acting Director, Office of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3647, 200 Constitution Avenue, N.W., Washington, DC 20210. Telephone: (202) 219-8148.

SUPPLEMENTARY INFORMATION: States with approved occupational safety and health plans under section 18 of the Occupational Safety and Health Act of