

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. 99-SW-55." 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, 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 a new airworthiness directive to read as follows:

**AD 99-23-23** Bell Helicopter Textron, Inc. Amendment 39-11419. Docket No. 99-SW-55-AD.

**Applicability:** Model 412 or 412EP helicopters, serial numbers (S/N) 33001 through 33213, 34001 through 34036, and 36001 through 36204, or Model 412CF helicopter, S/N 46400 through 46499, with main rotor yoke assembly (yoke), part number 412-010-101-123 or -127, 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 otherwise 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 request approval for an alternative method of compliance in accordance with paragraph (b) 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 within 10 hours time-in-service (TIS) for a yoke with 4,500 or more hours TIS or required within 90 days for a yoke with less than 4,500 hours TIS but prior to the accumulation of 4,500 hours TIS, unless accomplished previously.

To prevent a fatigue failure of a yoke, loss of a main rotor blade, and subsequent loss of control of the helicopter, accomplish the following:

(a) Inspect and measure each yoke in accordance with the Accomplishment Instructions, paragraphs 1 through 6, of Bell Helicopter Textron, Inc. (BHTI), Alert Service Bulletin (ASB) 412-98-93, applicable to the Model 412 and 412EP helicopters, or BHTI ASB 412CF-98-5, applicable to the Model 412CF helicopters, both dated March 2, 1998. If any measurement for a yoke is less than 0.478-inch thickness, add 500 hours to the TIS indicated on the component history card or equivalent record.

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

(c) 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 helicopter to a

location where the requirements of this AD can be accomplished.

(d) The inspection shall be done in accordance with Bell Helicopter Textron, Inc. Alert Service Bulletins 412-98-93 or 412CF-98-5, both dated March 2, 1998, 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 Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, Texas 76101, telephone (817) 280-3391, fax (817) 280-6466. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on December 1, 1999.

Issued in Fort Worth, Texas, on November 4, 1999.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 99-29612 Filed 11-15-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-SW-78-AD; Amendment 39-11413; AD 99-23-17]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter France Model AS 332C, L, and L1 Helicopters

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to Eurocopter France Model AS 332C, L, and L1 helicopters, that requires a one-time inspection of the length of the main gearbox epicyclic module upper casing bearing attachment bolts (attachment bolts), and if they exceed a certain length, replacing the epicyclic module to preclude a potential interference between the attachment bolts and the 2nd stage planet gear cage web. This amendment is prompted by a report of interference between the attachment bolts and the second stage planet gear cage web of the epicyclic module in the main gearbox. The actions specified by this AD are intended to prevent failure of the second stage planet gear of the main gearbox, loss of main rotor drive and subsequent loss of control of the helicopter.

**DATES:** Effective December 21, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 21, 1999.

**ADDRESSES:** The service information referenced in this AD may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Shep Blackman, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5296, fax (817) 222-5961.

**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 Eurocopter France Model AS 332C, L, and L1 helicopters was published in the **Federal Register** on August 23, 1999 (64 FR 45929). That action proposed to require a one-time inspection of the length of the attachment bolts, and if any exceed 53mm in length, replacing the epicyclic module.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for two nonsubstantive changes that have been made to paragraph (c) and Note 2 of the AD. In paragraph (c), the NPRM incorrectly states that alternative methods of compliance (AMOC) or adjustments of the compliance time may be approved by the "Manager, Rotorcraft Standards Staff, Rotorcraft Directorate." This is incorrect and has been changed to state that the Manager, Regulations Group, Rotorcraft Directorate, is responsible for approving any AMOC or adjustment of the compliance time. Note 2 of the NPRM states that information concerning the existence of approved AMOC may be obtained from the "Rotorcraft Standards Staff;" this is also incorrect and has been changed to state that information may be obtained from the "Regulations Group." The FAA has determined that these changes will neither increase the economic burden

on any operator nor increase the scope of the AD.

The FAA estimates that 1 helicopter of U.S. registry will be affected by this AD, that it will take approximately 8 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 \$365,235 to replace the epicyclic module, if necessary. The cost of the attachment bolts is \$11. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$491, assuming the bolts are the correct length and the epicyclic module does not have to be replaced.

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.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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. 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 adding a new airworthiness directive to read as follows:

#### AD 99-23-17 Eurocopter France:

Amendment 39-11413. Docket No. 98-SW-78-AD.

**Applicability:** Model AS 332C, L, and L1 helicopters, with epicyclic modules, part number 332A32-2007-00 or -01, with serial numbers with the prefix of "M", from 100 through 689 or 3000 through 3048, 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 otherwise 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 request approval for an alternative method of compliance in accordance with paragraph (c) 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 in paragraph DD of Eurocopter Service Bulletin No. 01.41, dated November 1995 (95-11) (SB), unless accomplished previously.

To prevent failure of the second stage planet gear of the main gearbox, loss of main rotor drive and subsequent loss of control of the helicopter, accomplish the following:

(a) Inspect each main gearbox epicyclic module upper casing bearing attachment bolt (attachment bolt) in accordance with paragraph CC of the SB.

(b) If any attachment bolt length is greater than 53mm (2.086 inches), remove the epicyclic module and replace the epicyclic module with an airworthy epicyclic module before further flight.

(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, Regulations Group, 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, Regulations Group.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Regulations Group.

(d) 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 helicopter to a location where the requirements of this AD can be accomplished.

(e) The compliance and inspection shall be done in accordance with paragraphs CC and DD of Eurocopter Service Bulletin No. 01.41, dated November 1995 (95-11). 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 American Eurocopter Corporation, 2701

Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on December 21, 1999.

**Note 3:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 93-131-051(B)R1, dated January 18, 1998.

Issued in Fort Worth, Texas, on November 2, 1999.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-NM-15-AD; Amendment 39-11415; AD 99-23-19]

RIN 2120-AA64

#### **Airworthiness Directives; Learjet Model 31, 31A, 35, 35A, and 60 Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Learjet Model 31, 31A, 35, 35A, and 60 airplanes, that requires a visual inspection of the spoiler actuators to determine the serial number of the spoiler actuators; and replacement of the spoiler actuators with new actuators, if necessary. This amendment is prompted by failure of a spoiler actuator piston rod during the first production flight of a Model 60 airplane due to an incomplete heat treatment process. The actions specified by this AD are intended to prevent failure of the spoiler actuator, which could result in the spoiler panel floating and inducing an uncommanded roll of the airplane.

**DATES:** Effective December 21, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 21, 1999.

**ADDRESSES:** The service information referenced in this AD may be obtained from Learjet, Inc., One Learjet Way, Wichita, Kansas 67209-2942. This

information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, 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:**

Shane Bertish, Aerospace Engineer, Systems and Equipment Branch, ACE-116W, FAA, Small Airplane Directorate, 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 Learjet Model 31, 31A, 35, 35A, and 60 airplanes was published in the **Federal Register** on August 30, 1999 (64 FR 47148). That action proposed to require a visual inspection of the spoiler actuators to determine the serial number of the spoiler actuators; and replacement of the spoiler actuators with new actuators, if necessary.

#### **Comments**

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

#### **Conclusion**

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### **Cost Impact**

There are approximately 45 airplanes of the affected design in the worldwide fleet. The FAA estimates that 37 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be \$2,220, or \$60 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

#### **Regulatory Impact**

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.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under 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. 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 adding the following new airworthiness directive:

**99-23-19 Learjet, Inc.:** Amendment 39-11415. Docket 99-NM-15-AD.

**Applicability:** Model 31 and 31A airplanes, serial numbers 31-033, 31-105, 31-114, 31-126, and 31-150 through 31-161 inclusive; Model 35 and 35A airplanes, serial numbers 35-065, 35-242, 35-300, 35-323, 35-447, 35-622, and 35-670; and Model 60 airplanes, serial numbers 60-029, 60-050, 60-120 through 60-139 inclusive; 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