

of R-R Mandatory Service Bulletin (SB) RB.211-72-C818, Revision 2, dated October 8, 1999:

- (i) Compliance section C, page 2.
- (ii) Accomplishment Instructions section, items A through and including B(6), pages 5 and 6.
- (iii) Acceptance criteria section, Appendix 1 (4), items A and B, page 9.

Earlier Versions of Service Bulletin

(3) Initial inspections accomplished using the original issue of R-R SB RB.211-72-C818, dated August 6, 1999, or Revision 1, dated August 20, 1999, are acceptable.

Repetitive Inspections

(4) Thereafter, inspect at intervals not to exceed 200 CIS since last inspection in accordance with R-R Mandatory RB.211-72-C818, Revision 2, dated October 8, 1999.

Cracked Parts

(5) Prior to further flight, remove from service cracked fan blades and replace with serviceable parts in accordance with R-R Mandatory RB.211-72-C818, Revision 2, dated October 8, 1999.

Optional Terminating Action

(b) Accomplishment of either of the following actions constitutes terminating action to the inspections required by paragraph (a) of this AD:

(1) Remove from service fan blades, P/Ns UL36245, UL38009, UL38052, and UL38628, and replace with serviceable fan blades with P/Ns other than P/Ns UL36245, UL38009, UL38052, and UL38628, or

(2) Rework fan blades to the improved configuration and mark the reworked fan blades with P/Ns FW12018, FW12019, FW12020, or FW12021, in accordance with the Accomplishment Instructions of R-R SB RB.211-72-C891, dated February 2, 2000.

Alternative Methods of Compliance

(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, Engine Certification Office. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Engine Certification Office.

Ferry Flights

(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 aircraft to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(e) The actions required by this AD shall be performed in accordance with the R-R Mandatory SB RB.211-72-C818, Revision 2, dated October 8, 1999, and SB RB.211-72-C891, dated February 2, 2000. 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 Rolls-Royce plc, PO Box 31, Derby, England; telephone: International Access Code 011, Country Code 44, 1332-249428, fax International Access Code 011, Country Code 44, 1332-249223. Copies may be inspected at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(f) This amendment becomes effective on March 31, 2000.

Issued in Burlington, Massachusetts, on March 6, 2000.

David A. Downey,

Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 00-5891 Filed 3-15-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-SW-87-AD; Amendment 39-11625; AD 2000-05-15]

RIN 2120-AA64

Airworthiness Directives; Eurocopter France Model AS355N Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to Eurocopter France Model AS355N helicopters. This action requires inspecting the: 4 engine exhaust pipe ejector attachment lugs (lugs) for cracks; starter-generator (S-G) shaft for radial play; S-G attachment flange for cracks; and S-G attachment half-clamps for cracks.

This amendment is prompted by 9 reports of S-G damage; 3 reports of the discovery of cracks in the lugs; and 1 report of an in-flight loss of the exhaust pipe ejector. The actions specified in this AD are intended to prevent separation of an engine exhaust pipe ejector from the helicopter, which could result in a tail rotor strike and subsequent loss of control of the helicopter.

DATES: Effective March 31, 2000.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 31, 2000.

Comments for inclusion in the Rules Docket must be received on or before May 15, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99-SW-87-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

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, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137; 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: The Direction Generale De L'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on Eurocopter France Model AS355N helicopters. The DGAC advises that starter-generator deterioration may lead to failure of the engine exhaust pipe ejector attachment lugs and subsequent loss of the ejector.

Eurocopter France has issued Eurocopter France Service Telex No. 01.00.45, dated October 27, 1999, which requests that the following items must be inspected within 10 hours time-in-service (TIS) and then at intervals of 100 hours TIS: 4 lugs for cracks; S-G shaft for significant radial play; S-G attachment flange for cracks; and S-G attachment half-clamps for cracks.

The DGAC classified this telex as mandatory and issued AD 1999-469-058(A), dated December 1, 1999, in order to assure the continued airworthiness of these helicopters in France.

This helicopter model is manufactured in France and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and

determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other Eurocopter France Model AS355N helicopters of the same type design registered in the United States, this AD is being issued to prevent separation of an engine exhaust pipe ejector from the helicopter, which could result in a tail rotor strike and subsequent loss of control of the helicopter. This AD requires, within 10 hours TIS and then at intervals not to exceed 100 hours TIS, inspecting the: 4 lugs for any crack; S-G shaft for radial play; S-G attachment flange for any crack; and S-G attachment half-clamps for any crack.

The actions are required to be accomplished in accordance with the telex described previously. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the structural integrity of the helicopter. Therefore, this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

The FAA estimates that 13 helicopters will be affected by this AD and that it will take approximately 3 work hours to accomplish the inspections. The work hours required to replace the parts will be: 2 work hours to replace the S-G; 1 work hour to replace the clamp and flange; and 2 work hours to replace the exhaust pipe.

The average labor rate is estimated to be \$60 per work hour. Required parts, per helicopter, will cost approximately: \$6,346 for each S-G; \$12,148 for each exhaust pipe; \$500 for each flange; and \$175 for each clamp.

Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$180 per helicopter to accomplish each inspection and \$19,469 per helicopter to replace the S-G, the exhaust pipe, the flange, and the clamp.

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. 99-SW-87-AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein 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. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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 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 2000-05-15 Eurocopter France:

Amendment 39-11625. Docket No. 99-SW-87-AD.

Applicability: Model AS355N helicopters, 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 (d) 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) and thereafter at intervals not to exceed 100 hours TIS, unless accomplished previously.

To prevent separation of an engine exhaust pipe ejector from the helicopter, which could result in a tail rotor strike and subsequent loss of control of the helicopter, accomplish the following:

(a) In accordance with paragraph BB of Eurocopter France Service Telex No. 00095, dated October 27, 1999 (Telex) that references Service Telex No. 01.00.45, visually inspect the:

- (1) 4 engine exhaust pipe ejector attachment lugs (lugs) for any crack;
- (2) starter-generator (S-G) shaft for radial play;
- (3) S-G attachment flange for any crack; and
- (4) S-G attachment half-clamps for any crack.

(b) If a crack is found in either the lugs, the S-G attachment flange, or the S-G attachment half-clamps, repair or replace the cracked part with an airworthy part prior to further flight.

(c) If radial play is discovered in the S-G, replace it with an airworthy S-G prior to further flight.

(d) 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, Rotorcraft Directorate.

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

(e) 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.

(f) The inspections and replacements, if necessary, shall be done in accordance with Eurocopter France Service Telex No. 00095, dated October 27, 1999. 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.

(g) This amendment becomes effective on March 31, 2000.

Note 3: The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 1999-469-058(A), dated December 1, 1999.

Issued in Fort Worth, Texas, on March 6, 2000.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 00-6035 Filed 3-15-00; 8:45 am]

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DEPARTMENT OF STATE

22 CFR Parts 22, 23 and 51

[Public Notice 3254]

Schedule of Fees for Consular Services; Finance and Accounting; and Passports and Visas

AGENCY: Bureau of Consular Affairs, State Department.

ACTION: Direct final rule.

SUMMARY: This direct final rule replaces the existing fee charged for each passport issued, that is refunded when a passport is not issued, with a non-refundable fee charged for each

application filed for a passport. Accordingly, the Department of State will refund the passport application fee only when the fee has been collected in error. The Department will not refund the fee paid for a passport application when, after processing, it is determined that the applicant will not be issued a passport. Nor will the Department refund a passport application fee to the executor or administrator of the estate of the deceased bearer of an unused passport, or refund a passport application fee to any person issued a passport who has been refused a visa by a foreign government. The rule provides, however, that a person, whose passport application is denied, may have the application reconsidered without being required to pay an additional application fee by submitting adequate documentation that overcomes the reason for denial within 90 days from the date of the denial notice.

DATES: This rule is effective May 15, 2000 without further action, unless adverse comment is received by April 17, 2000. If adverse comment is received and is well-taken, the Department of State will publish a timely withdrawal of the rule in the **Federal Register**, and it will not take effect.

ADDRESSES: Written comments should be addressed to: Chief, Legal Division, Office of Passport Policy, Planning and Advisory Services, 1111 19th Street, N.W., Suite 260, Washington, D.C. 20524.

FOR FURTHER INFORMATION CONTACT: Sharon Palmer-Royston, Office of Passport Policy, Planning and Advisory Services, Bureau of Consular Affairs, Department of State (202) 955-0231; telefax (202) 955-0230.

SUPPLEMENTARY INFORMATION:

Background

Section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214) previously provided for payment into the Treasury of a fee, prescribed by the Secretary of State by regulation, for "each passport issued", and a fee for executing "each application for a passport". Congress enacted Section 233 of Pub.L. 106-113, November 29, 1999, which amended Section 1 of the Passport Act by striking those provisions and inserting in their place the requirement for payment of a fee for "the filing of each application for a passport (including the cost of passport issuance and use)" and a fee for executing "each such application" for a passport. Section 233 further provides that "such fees shall not be refundable, except as the Secretary may by regulation prescribe". Section 233 also repealed Section 4 of the Passport

Act of 1920 (22 U.S.C. 216), which authorized the refund of the fees paid by the person to whom a passport was issued, whenever the appropriate officer within the United States of any foreign country refuses to issue a visa in a passport issued by the United States, upon request in writing and return of an unused passport within six months from the date of issue.

This direct final rule implements Section 233 of Pub.L. 106-113 by amending the existing Schedule of Fees for Consular Services in the list of Passport and Citizenship Services under 22 CFR 22.1, to change "issuance" to "application", and amends 22 CFR 22.6 by deleting the provision for the refund of the passport fee pursuant to 22 U.S.C. 216. This rule also amends the regulations governing passport fees in 22 CFR 51.61(a), by changing the "fee for each passport issued" to a "fee for each passport application filed", and amends 22 CFR 51.63 by changing "passport fee" to "passport application fee" and by deleting paragraphs (b), (c) and (d).

The effect of this rule is that the Department of State will not refund the fee paid for a passport application when the Department determines, after processing, that a passport may not be issued pursuant to the regulations governing passports. Nor will the Department refund a passport application fee to any person who, after a passport has been issued to them, has been refused a visa by a foreign government. Further, the Department will not refund a passport application fee to the executor or administrator of the estate of the deceased bearer of an unused passport. A refund will not be made in those cases, because the application for a passport will have been processed in accordance with the fee paid for the application.

However, the Department recognizes that there are cases where an application for issuance of a passport will be denied on the sole ground of inadequate documentation or for a reason that can be cured by the provision of further documentation. In those cases, a new application fee should not be required when the applicant provides acceptable documentation in a timely manner so that a passport is issued. A person whose application for a passport has been denied, moreover, is informed in writing of the specific reason(s) for the denial, as provided by regulation. Therefore, this rule also provides that a person, whose passport application has been denied, may have the denied application reconsidered without payment of an additional passport