

21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The inspection shall be done in accordance with *Aerospatiale Service Bulletin ATR42-55-0007*, dated November 13, 1997. 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 *Aerospatiale*, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. 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 3: The subject of this AD is addressed in French airworthiness directive 97-328-072(B)R1, dated November 19, 1997.

(e) This amendment becomes effective on April 17, 1998.

Issued in Renton, Washington, on March 26, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 98-8565 Filed 4-1-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-SW-03-AD; Amendment 39-10440; AD 98-07-19]

RIN 2120-AA64

Airworthiness Directives; McDonnell Douglas Helicopter Systems Model 369F and 369FF Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to McDonnell Douglas Helicopter Systems (MDHS) Model 369F and 369FF helicopters, that requires removing the tail rotor control rod assembly (rod assembly) and replacing it with an airworthy rod assembly. This amendment is prompted by a failure of a rod assembly during a proof-load test conducted by the manufacturer. The actions specified by this AD are intended to prevent buckling of the rod assembly when subjected to ultimate jam loads, loss of tail rotor control, and subsequent loss of control of the helicopter.

EFFECTIVE DATE: May 7, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Cecil, Aerospace Engineer, ANM-120L, Los Angeles Aircraft Certification Office, FAA, 3960

Paramount Boulevard, Lakewood, California 90712, telephone (562) 627-5229, fax (562) 627-5210.

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 MDHS Model 369F and 369FF helicopters was published in the **Federal Register** on August 20, 1997 (62 FR 44245). That action proposed to require removing the rod assembly and replacing it with an airworthy rod assembly.

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.

The FAA estimates that 17 helicopters of U.S. registry will be affected by this AD, that it will take approximately 4 work hours per helicopter to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$4,080.

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 maintained in the Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

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 98-07-19 McDonnell Douglas Helicopter Systems: Amendment 39-10440. Docket No. 97-SW-03-AD.

Applicability: Model 369F and 369FF 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 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 (b) 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 300 hours time-in-service after the effective date of this AD, unless accomplished previously.

To prevent buckling of the tail rotor control rod assembly (rod assembly) when subjected to ultimate jam loads, loss of tail rotor control, and subsequent loss of control of the helicopter, accomplish the following:

(a) Remove the rod assembly, part number (P/N) 369D27516, and replace it with an airworthy rod assembly, P/N 369D27516-5. Replacement of the rod assembly with an airworthy rod assembly, P/N 369D27516-5, constitutes a terminating action for the requirements of this AD.

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

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

obtained from the Los Angeles Aircraft Certification Office.

(c) 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 March 25, 1998.

Eric Bries,

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

[FR Doc. 98-8584 Filed 4-1-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-SW-13-AD; Amendment 39-10441; AD 98-07-20]

RIN 2120-AA64

Airworthiness Directives; Eurocopter France Model AS 332C, L, and L1 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 AS 332C, L, and L1 helicopters that have not been modified in accordance with Eurocopter France Modifications 332A07-41.569 and 332A07-66.150. This action requires revisions to the Limitations section of the Rotorcraft Flight Manual (RFM) to prohibit flight into meteorological conditions that may produce lightning for helicopters that are not equipped with lightning-resistant tail rotor blades. A terminating action is provided in the AD by the installation of tail rotor blades having a lightning-resistant system. This amendment is prompted by the forced ditching of a Model AS 332 helicopter after experiencing a lightning strike. The actions specified in this AD are intended to prevent damage to the tail rotor blades that could result in loss of a tail rotor blade and subsequent loss of control of the helicopter.

DATES: Effective April 17, 1998.

Comments for inclusion in the Rules Docket must be received on or before June 1, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 97-SW-13-

AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

FOR FURTHER INFORMATION CONTACT: Mr. Robert McCallister, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5121, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION: The Direction Générale De L'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on Eurocopter France Model AS 332C, L, and L1 helicopters with tail rotor blades, part number (P/N) 33A12.0010 or P/N 33A12.0020, installed. The DGAC advises that due to a ditching in the North Sea that was caused by a lightning strike, flight in foreseeable or confirmed stormy areas is prohibited for helicopters not equipped with tail rotor blades that have been reinforced against lightning strike.

Eurocopter France has issued Eurocopter France AS 332 Service Bulletin No. 64.00.22, Revision 1, dated February 23, 1996, which specifies replacing the electrical bonding braids and brackets, and replacing the tail rotor blades with airworthy blades, P/N 33A12.0050.01. The DGAC classified this service bulletin as mandatory, and issued AD 96-099-059(B), dated May 9, 1996, 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 AS 332C, L, and L1 helicopters of the same type design registered in the United States, this AD is being issued to revise the Limitations section of the RFM to prohibit flight into meteorological conditions that may produce lightning for helicopters that are not equipped with tail rotor blades that have been reinforced against lightning strikes. A terminating action is provided in the AD by the replacement

of the electrical bonding braids and brackets, and removing the tail rotor blades and replacing them with improved lightning-resistant tail rotor blades.

The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the helicopter. Therefore, the RFM revision is required within 30 calendar days and 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 4 helicopters of U.S. registry will be affected by this proposed AD, that it will take approximately 1 work hour per helicopter to revise the RFM, and 6 work hours to replace the electrical bonding braids and brackets, including removal and replacement of the tail rotor blades, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$12,000 to replace all five tail rotor blades, or \$1000 per blade to reinforce the blades against lightning strikes, and \$490 to replace the electrical bonding braids and brackets. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$12,850 per helicopter, assuming all affected tail rotor blades and components are replaced and the RFM is not revised.

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,