

accumulation of ice on the lower surface of the wing aft of the protected area.

Need for the Correction

The AD incorrectly references the “* * * lower surface of the wing * * *” instead of the upper surface of the wing. Beech Models 99, 99A, A99A, B99, C99, B200, B200C, 1900, 1900C, and 1900D airplanes are designed with the wings sitting low on the body of the airplane, which would not allow the pilot to visually check the lower surface of the airplane during flight without exiting the airplane.

Correction of Publication

Accordingly, the publication of May 7, 1996 (61 FR 20638), of Amendment 39-9589; AD 96-09-13, which was the subject of FR Doc. 96-10723, is corrected as follows:

§ 39.13 [Corrected]

On page 20639, in the second column, § 39.13, paragraph (a)(1) of the AD, line 10 from the top of the column, correct “—Accumulation of ice on the lower surface” to read “—Accumulation of ice on the upper surface”.

Action is taken herein to clarify this requirement of AD 96-09-13 and to add this AD correction to § 39.13 of the Federal Aviation Regulations (14 CFR 39.13).

The effective date remains June 11, 1996.

Issued in Kansas City, Missouri on May 17, 1996

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-13059 Filed 5-24-96; 8:45 am]

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14 CFR Part 39

[Docket No. 96-CE-02-AD; Amendment 39-9588; AD 96-09-12]

RIN 2120-AA64

Airworthiness Directives; Empresa Brasileiro de Aeronautico, S.A. Models EMB-110P1 and EMB-110P2 Airplanes; Correction

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; correction.

SUMMARY: This action makes a correction to Airworthiness Directive (AD) 96-09-12 concerning Empresa Brasileiro de Aeronautico, S.A. (EMBRAER) Models EMB-110P1 and EMB-110P2 airplanes, which published in the Federal Register on May 7, 1996 (61 FR 20636). That publication

incorrectly references a cue for the pilot or crew member in severe icing conditions. The AD currently requires the pilot to follow certain visual cues during flight in icing conditions and the second of these cues requires the pilot to look at the lower surface of the wing. The word “lower” is wrong in the second cue. The intent of the AD in paragraph (a)(1), first bullet, second cue, is to require the pilot or crew member to look at the “upper” surface of the wing. This action corrects the AD to reflect this change.

EFFECTIVE DATE: June 11, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. John Dow, Aerospace Engineer, FAA, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6934; facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION: On May 7, 1996, the Federal Aviation Administration (FAA) issued AD 96-09-12, Amendment 39-9588 (61 FR 20636, May 7, 1996), which applies to EMBRAER Models EMB-110P1 and EMB-110P2 airplanes. This AD requires a revision in the Airplane Flight Manual (AFM) by incorporating a warning into the Limitations Section of the AFM. Within this warning (in the first bulleted paragraph) are cues for the pilot to follow during flight in severe icing conditions. The second cue references accumulation of ice on the lower surface of the wing aft of the protected area.

Need for the Correction

The AD incorrectly references the “* * * lower surface of the wing * * *” instead of the upper surface of the wing. The EMBRAER Models EMB-110P1 and EMB-110P2 airplanes are designed with the wings sitting low on the body of the airplane, which would not allow the pilot to visually check the lower surface of the airplane during flight without exiting the airplane.

Correction of Publication

Accordingly, the publication of May 7, 1996 (61 FR 20636), of Amendment 39-9588; AD 96-09-12, which was the subject of FR Doc. 96-10725, is corrected as follows:

§ 39.13 [Corrected]

On page 20637, in the second column, § 39.13, paragraph (a) (1) of the AD, the second to the last line from the bottom of the column, correct “—Accumulation of ice on the lower surface” to read “—Accumulation of ice on the upper surface”.

Action is taken herein to clarify this requirement of AD 96-09-12 and to add

this AD correction to § 39.13 of the Federal Aviation Regulations (14 CFR 39.13).

The effective date remains June 11, 1996.

Issued in Kansas City, Missouri, on May 17, 1996.

Michael Gallagher,
Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96-13058 Filed 5-24-96; 8:45 am]

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14 CFR Part 39

[Docket No. 95-SW-32-AD; Amendment 39-9634; AD 96-11-09]

RIN 2120-AA64

Airworthiness Directives; Robinson Helicopter Company Model R44 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to Robinson Helicopter Company (Robinson) Model R44 helicopters, that requires an adjustment to the low-RPM warning unit threshold to increase the revolutions-per-minute (RPM) at which the warning horn and caution light activate, and revisions to the R44 Rotorcraft Flight Manual that prohibit flight with the throttle governor (governor) selected off, except in certain situations. This amendment is prompted by an FAA Technical Panel Review of Robinson accident history data which revealed that main rotor (M/R) blade stall at abnormally low M/R RPM resulted in accidents. The actions specified by this AD are intended to minimize the possibility of pilot mismanagement of the M/R RPM, which could result in unrecoverable M/R stall and subsequent loss of control of the helicopter.

EFFECTIVE DATE: July 2, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. Elizabeth Bumann, Aerospace Engineer, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Blvd., Lakewood, California 90712-4137, telephone (310) 627-5265; fax (310) 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 Robinson Model R44 helicopters was published in the Federal Register on February 2, 1996 (61 FR 3882). That action proposed to require resetting the warning unit to activate the warning horn and caution

light at 96% to 97% RPM, and revisions to the R44 Rotorcraft Flight Manual that prohibit flight with the governor selected off, except in certain situations.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Two comments were received. One commenter supports the proposal. The other commenter states that the proposal should not be issued since it is unnecessary with little impact on safety. The commenter notes that Robinson Helicopter R44 Service Bulletin SB-7A, revised June 8, 1995, already requires all helicopters to be updated with the low RPM warning horn threshold between 96% to 98% RPM. Additionally, the commenter states that all U.S. registered aircraft have the current revision of the R44 Rotorcraft Flight Manual (RFM) incorporating the governor off limitation.

The FAA does not concur. Manufacturer's Service Bulletins are not mandatory for Part 91 operators. Similarly, flight manual revisions are not required to be inserted in the RFM unless the revision is required by an AD. The FAA has determined that AD action should be taken to ensure that all U.S. operators have incorporated the revision to the Limitations section of the FAA-approved R44 RFM regarding operation of the governor.

The same commenter also disagrees with the proposed action requiring an instructor pilot to be present with a high-time experienced pilot while practicing emergency procedures with the governor off. The commenter notes that since the R44 RFM requires the governor off for autorotations, high-time experienced pilots would only be allowed to practice autorotations with an instructor pilot present. The commenter believes that a pilot should be able to practice autorotations without an instructor.

The FAA concurs. Pilots should be able to reinforce their training by practicing maneuvers in which they have already demonstrated proficiency. Pilots who have received an endorsement from a certified flight instructor to act as a pilot in command of a Robinson R44 helicopter should be allowed to practice emergency procedures training without the assistance of a flight instructor. This final rule is revised to require the Limitations section of the R44 RFM to read "Flight prohibited with governor selected off, with exceptions for inflight system malfunction or emergency procedures training."

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for revisions to paragraph (b) to delete the words "with an instructor pilot" from the requirement "flight prohibited with governor selected off, with exceptions for inflight system malfunction or emergency procedures training with an instructor pilot."

The FAA estimates that 20 helicopters of U.S. registry will be affected by this AD, that it will take approximately 0.2 work hour per helicopter to accomplish the 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 \$240.

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, 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 96-11-09 Robinson Helicopter Company: Amendment 39-9634. Docket No. 95-SW-32-AD.

Applicability: Model R44 helicopters, serial numbers (S/N) 0001 through 0183 and 0189, 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 within 30 days after the effective date of this AD, unless accomplished previously.

To minimize the possibility of pilot mismanagement of the main rotor (M/R) RPM, which could result in M/R stall and subsequent loss of control of the helicopter, accomplish the following:

(a) Adjust the A569-6 low-RPM warning unit so that the warning horn and caution light activate when the M/R RPM is between 96% and 97% rotor RPM in accordance with the procedures contained in the applicable maintenance manual.

(b) Insert page 2-7 of the FAA-approved Robinson Helicopter Company R44 Rotorcraft Flight Manual, revised July 25, 1995, into each Model R44 helicopter's flight manual, and make pen-and-ink changes to page 2-7 to add the word "inflight" before "system malfunction," and change "and" to "or," so that the affected limitation will state "Flight prohibited with governor selected off, with exceptions for inflight system malfunction or emergency procedures training."

(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, Los Angeles Aircraft 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, 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.

(d) 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.

(e) This amendment becomes effective on July 2, 1996.

Issued in Fort Worth, Texas, on May 15, 1996.

Daniel P. Salvano,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 96-13207 Filed 5-24-96; 8:45 am]

BILLING CODE 4910-13-P

14 CFR Part 39

[Docket No. 95-SW-27-AD, Amendment 39-9633; AD 96-11-08]

RIN 2120-AA64

Airworthiness Directives; Robinson Helicopter Company Model R22 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to Robinson Helicopter Company (Robinson) Model R22 helicopters, that currently requires installing a low-rotor RPM caution light and resetting the low-RPM warning unit to activate the warning horn and caution light at 94% to 96% revolutions-per-minute (RPM). This amendment requires installation of an improved throttle governor; an adjustment to the low RPM warning unit threshold to increase the RPM at which the warning horn and caution light activate; and, revisions to the R22 Rotorcraft Flight Manual that prohibit flight with the improved throttle governor selected off, except in certain situations. This amendment is prompted by an FAA Technical Panel review of Model R22 accident history data which revealed that main rotor (M/R) blade stall at abnormally low M/R RPM resulted in accidents. The actions specified by this AD are intended to minimize the possibility of pilot mismanagement of the M/R RPM, which could result in unrecoverable M/R blade stall and subsequent loss of control of the helicopter.

EFFECTIVE DATE: July 2, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. Elizabeth Bumann, Aerospace Engineer, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Blvd., Lakewood, California 90712-4137, telephone (310) 627-5265; fax (310) 627-5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal

Aviation Regulations (14 CFR part 39) by superseding AD 82-23-51, Amendment 39-4645, (48 FR 21894, May 16, 1983), which is applicable to Robinson Helicopter Model R22 helicopters, was published in the Federal Register on December 14, 1995 (60 FR 64129). That action proposed to require installation of an improved throttle governor; an adjustment to the warning unit threshold to increase the RPM at which the warning horn and caution light activate; and, revisions to the R22 Rotorcraft Flight Manual.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Discussion of Comments

Eight commenters responded to the NPRM. These commenters are the National Transportation Safety Board (NTSB), Helicopter Association International (HAI), Helicopter Association of Australia, Civil Aviation Safety Authority Australia, the Robinson Helicopter Association, the manufacturer, and two helicopter operators. Comments were received on the proposal to increase the threshold of the low rotor RPM warning unit, the proposal to require installation of the improved throttle governor, the proposal to limit operations with the governor selected off, and proposed Rotorcraft Flight Manual (RFM) changes and other general comments. The commenters' positions and the FAA response to each of these positions are summarized as follows:

Increase in Threshold of Warning Unit

Three commenters support and no commenters object to the proposal to increase the low rotor RPM warning unit horn and caution light threshold from 95±1% RPM to between 96% and 97% RPM. Therefore, the proposal is adopted as proposed.

Installation of Improved Throttle Governor

Three commenters support and five commenters oppose the proposal to require installation of a throttle governor on all Model R22 helicopters. The two commenters from Australia oppose mandating installation of a throttle governor and state that although the throttle governor would reduce pilot workload and enhance public safety, mandatory installation of the governor is unnecessary since no conclusive evidence exists to indicate that a Model R22 accident in their country was caused by abnormally low RPM. Therefore, very few accidents would

have been prevented with a governor installed. Additionally, these two commenters suggest that the FAA allow more time to determine whether implementation of Special Federal Aviation Regulation (SFAR 73) on March 27, 1995, mandating awareness training for low time pilots and special training requirements for flight instructors, will necessitate any further safety action.

Another commenter states that the improved throttle governor is not necessary based upon their analysis of the National Transportation Safety Board (NTSB) accident data for the Model R22 from January 1992 to December 1995. The commenter noted that the overall number of R22 accidents declined with the implementation of SFAR 73 and the issuance of Airworthiness Directive 95-11-09, effective July 14, 1995, prohibiting low "g" maneuvers.

Another commenter states that recent accident statistics show that no R22 accident in 1995 could be attributed to low rotor RPM. The commenter states that the awareness training has had a positive effect and that mechanical solutions should be deleted or put on hold until evidence is available which indicates that the proposed changes are necessary.

A fifth commenter states that the proposal to require installation of the improved throttle governor may not increase safety in any way and may cause additional accidents since some low time pilots may become too reliant on the governor and not realize other difficulties such as carburetor icing.

The FAA does not concur. Although accident data presented indicates that low rotor stall due to improper throttle management has not resulted in recent R22 accidents, several of the 31 fatal accidents in the period from 1981 to the present involving main rotor to fuselage contact have exhibited signs of low rotor stall due to low rotor RPM. Accident records provided by the NTSB indicate that there were 33 non-fatal accidents in a 10 year period, from June 1985 to June 1995, in which failure to maintain rotor RPM was a casual factor. These accidents all resulted in at least substantial damage to the airframe. The FAA's recently completed study indicates that the potential exists for these types of accidents due to throttle mismanagement. Installation of the improved throttle governor will reduce the possibility of throttle mismanagement.

Even with the improved training, as stipulated in SFAR 73, the possibility of M/R stall due to throttle mismanagement still exists. The current