

to cure for at least 4 hours prior to further flight.

(2) Inspect access panels 419AT and 429AT as specified in DHC-8 Maintenance Manual [section 40-10, pages 12 and 14 (reference: Illustrated Parts Catalog 54-30-00, Figure 5, Items 410 and 420)] for the presence and condition of the weather seal in the gap between the panels and the adjacent structure. If the gap is not sealed, prior to further flight, seal the panels using PR1422, PR1435, or other sealant specified in the DHC-8 Maintenance Manual, section 20-21-16. A release agent, applied prior to sealing, also may be used as specified in DHC-8 Maintenance Manual, section 20-21-19. Allow the sealant or release agent to cure for at least 4 hours, prior to further flight.

(c) For airplanes having serial numbers 3 through 137, inclusive, on which Modification No. 8/1126 has not been installed: Within 1 year after the effective date of this AD, seal the firewall of the lower cowl of each engine by installing angle-gasket assemblies and applying sealant, in accordance with de Havilland Service Bulletin 8-54-12, dated January 27, 1989.

(d) For airplanes having serial numbers 003 through 331, inclusive, on which Modification No. 8/1885 has not been installed: Within 1 year after the effective date of this AD, accomplish the procedures specified in paragraphs (d)(1), (d)(2), and (d)(3) of this AD in accordance with de Havilland Service Bulletin S.B. 8-54-25, Revision 'A,' dated July 29, 1994.

(1) Inspect the vertical firewall section, firewall extension, and engine-mounted firewall of the upper structure of each nacelle, including the lap joints between bolts and at carry-through fittings and grommets, to detect gaps and openings through which flammable fluid could pass, in accordance with the service bulletin. If any gap or opening is detected, prior to further flight, seal the gap or opening, in accordance with the service bulletin.

(2) Inspect the upper access panels of each nacelle to detect the presence and condition of sealant in any gap between each panel and its adjacent structure, in accordance with the service bulletin. If there is no sealant or the sealant is discrepant, prior to further flight, apply or replace sealant, as applicable, in accordance with the service bulletin.

(3) Apply exterior labels and protective coatings to each access panel of the left and right nacelle in accordance with the service bulletin.

(e) For airplanes having serial numbers 003 through 332, inclusive, on which Modification No. 8/1887 has not been installed: Within 1 year after the effective date of this AD, replace the Camloc receptacles in each nacelle with stainless steel receptacles, and apply additional sealant to the firewall of each nacelle, in accordance with de Havilland Service Bulletin S.B. 8-54-30, Revision 'B,' dated February 5, 1993.

(f) For airplanes having serial numbers 003 through 357, inclusive, on which Modification No. 8/1966 has not been installed: Within 1 year after the effective date of this AD, inspect the forward and rearward faces of the firewall, firewall

extension, and engine mounted firewall of the lower structure of each nacelle for any gap or opening at lap joints, between bolts, and at carry-through fittings and grommets through which flammable fluid could pass, in accordance with de Havilland Service Bulletin S.B. 8-54-31, dated March 8, 1994. If any gap or opening is detected, prior to further flight, apply sealant in accordance with the service bulletin.

(g) For airplanes having serial numbers 003 through 369, inclusive, on which Modification No. 8/2001 has not been installed: Within 1 year after the effective date of this AD, replace the existing seals on the cowl doors of each nacelle with improved seals, in accordance with de Havilland Service Bulletin S.B. 8-71-19, Revision 'B,' dated February 24, 1995.

(h) 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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(i) 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 airplane to a location where the requirements of this AD can be accomplished.

(j) The actions shall be done in accordance with de Havilland Alert Service Bulletin A8-73-14, Revision B, dated April 24, 1992; de Havilland Service Bulletin 8-54-12, dated January 27, 1989; de Havilland Service Bulletin S.B. 8-54-25, Revision 'A,' dated July 29, 1994; de Havilland Service Bulletin S.B. 8-54-30, Revision 'B,' dated February 5, 1993; de Havilland Service Bulletin S.B. 8-54-31, dated March 8, 1994; and de Havilland Service Bulletin S.B. 8-71-19, Revision 'B,' dated February 24, 1995. The incorporation by reference of de Havilland Alert Service Bulletin A8-73-14, Revision B, dated April 24, 1992, was approved previously by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of September 8, 1992 (57 FR 37872, August 21, 1992). The incorporation by reference of the other publications listed in the regulations 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 Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(k) This amendment becomes effective on July 30, 1997.

Issued in Renton, Washington, on June 16, 1997.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 97-16270 Filed 6-24-97; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-SW-35-AD; Amendment 39-10056; AD 97-13-09]

RIN 2120-AA64

#### Airworthiness Directives; McDonnell Douglas Helicopter Systems Model MD-900 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 McDonnell Douglas Helicopter Systems (MDHS) Model MD-900 helicopters. This action requires applying specified serial numbers to the left and right vertical stabilizer control system (VSCS) bellcrank assemblies, the forward and aft deck-fitting assemblies, and the mid-forward and mid-aft truss strut assemblies; and establishes new life limits for the non-rotating swashplate assembly, the collective drive link assembly, and the self-aligning, spherical/slider main rotor bearing. This amendment is prompted by additional manufacturer's analysis which indicates a need for the reduction of the life limit on several parts and the addition of non-serialized parts to the life-limited parts list. The actions specified in this AD are intended to establish a life limit for various parts and reduce the current life limit on other parts.

**DATES:** Effective July 10, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of July 10, 1997.

Comments for inclusion in the rules docket must be received on or before August 25, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-SW-35-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

The service information referenced in this AD may be obtained from McDonnell Douglas Helicopter Systems, Technical Publications, Bldg. 530/B11, 5000 E. McDowell Road, Mesa, Arizona 85205-9797. This information may be examined at the FAA, Office of the Assistant Chief Counsel, 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:** Mr. Greg DiLibero, Aerospace Engineer, Airframe Branch, Los Angeles Aircraft Certification Office, FAA, 3960 Paramount Boulevard, Lakewood, California 90712, telephone (562) 627-5231, fax (562) 627-5210.

**SUPPLEMENTARY INFORMATION:** This amendment adopts a new AD that is applicable to MDHS Model MD-900 helicopters. For Model MD-900 helicopters with serial numbers (S/N) 0002 through 0012, this action requires applying serial numbers to the mid-forward truss assembly, part number (P/N) 900F2401200-102, and the forward and aft deck-fitting assemblies, P/N 900F2401500-103 and P/N 900F2401600-103. For Model MD-900 helicopters with S/N 0002 through 0048, this action requires applying S/N's to the VSCS bellcrank assemblies, part number (P/N) 900F2341712-101 or P/N 900FP341712-103, and the mid-aft truss strut assembly, P/N 900F2401300-103. For all Model MD-900 helicopters, this action reduces the life limits for the non-rotating swashplate assembly, P/N 900C2010192-105, -107, -109, or -111, from 8,300 hours time-in-service (TIS) to 554 hours TIS; the collective drive link assembly, P/N 900C2010207-101, from 3,900 hours TIS to 1,480 hours TIS; the self-aligning, spherical/slider main rotor bearing, P/N 900C3010042-103, from 2,100 hours TIS to 480 hours TIS; and the VSCS bellcrank assembly, P/N 900FP341712-103, and bellcrank arm, P/N 900F2341713-101, (used in the VSCS bellcrank assembly, P/N 900F2341712-101) from no life limit to 2,700 hours TIS. This amendment is prompted by additional manufacturer's analysis which indicates a need for the reduction of the life limit on several parts and the addition of non-serialized parts to the life-limited parts list. The actions specified in this AD are intended to establish a life limit for various parts and reduce the current life limit on other parts.

The FAA has reviewed McDonnell Douglas Helicopter Systems Service Bulletin No. SB900-039, Revision 2, dated March 12, 1997, which describes

procedures for applying the serial numbers to the life-limited parts.

Since an unsafe condition has been identified that is likely to exist or develop on other MDHS Model MD-900 helicopters of the same type design, this AD is being issued to establish a life limit for various parts and reduce the current life limit on other parts. This AD requires applying specified serial numbers to the left and right VSCS bellcrank assemblies, P/N 900F2341712-101 or P/N 900FP341712-103; to the mid-forward and mid-aft truss strut assemblies, P/N 900F2401200-102 and P/N 900F2401300-103; and to the forward and aft deck-fitting assemblies, P/N 900F2401500-103 and P/N 900F2401600-103. This AD also reduces the life limits for the non-rotating swashplate assembly, P/N 900C2010192-105, -107, -109, or -111, from 8,300 hours TIS to 554 hours TIS; the collective drive link assembly, P/N 900C2010207-101, from 3,900 hours TIS to 1,480 hours TIS; the self-aligning, spherical/slider main rotor bearing, P/N 900C3010042-103, from 2,100 hours TIS to 480 hours TIS; and the VSCS bellcrank assembly, P/N 900FP341712-103, and the bellcrank arm, P/N 900F2341713-101, (used in the VSCS bellcrank assembly, P/N 900F2341712-101) from no life limit to 2,700 hours TIS. The serial numbers for the VSCS bellcrank assemblies, the mid-forward and mid-aft truss assemblies, and the forward and aft deck-fitting assemblies are specified in and are required to be accomplished in accordance with the service bulletin described previously. The serial numbers specified in the service bulletin shall be applied adjacent to the existing P/N's. Some Model MD-900 helicopters that are currently in service are equipped with helicopter control system parts that are approaching the new, lower life limits. Failure of any of these parts could result in loss of control of the helicopter. Due to the criticality of the components of the helicopter control system, this AD is being issued in the form of an immediately-adopted final rule with request for comments.

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.

#### 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. 96-SW-35-AD." 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 97-13-09 McDonnell Douglas**

**Helicopter Systems:** Amendment 39-10056. Docket No. 96-SW-35-AD.

**Applicability:** Model MD-900 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 (d) 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 as indicated, unless accomplished previously.

To establish a life limit for various parts and reduce the current life limit on other parts, accomplish the following:

(a) Within 100 hours time-in-service (TIS) after the effective date of this AD:

(1) For Model MD-900 helicopters with serial number (S/N) 0002 through 0012, apply serial numbers to the mid-forward truss assembly, P/N 900F2401200-102, and the forward and aft deck-fitting assemblies, P/N 900F2401500-103 and P/N 900F2401600-103.

(2) For Model MD-900 helicopters with S/N 0002 through 0048, apply S/N's to the left and right vertical stabilizer control system (VSCS) bellcrank assemblies, P/N

900F2341712-101 or P/N 900FP341712-103, and the mid-aft truss strut assembly, P/N 900F2401300-103.

(3) Apply the S/N's as specified in paragraphs (a)(1) and (a)(2) of this AD adjacent to the existing P/N's, and in accordance with the Accomplishment Instructions of McDonnell Douglas Helicopter Systems Service Bulletin No. SB900-039, Revision 2, dated March 12, 1997.

(b) Before further flight, remove from service:

(1) The non-rotating swashplate assembly, P/N 900C2010192-105, -107, -109, or -111, on or before attaining 554 hours TIS.

(2) The collective drive link assembly, P/N 900C2010207-101, on or before attaining 1,480 hours TIS.

(3) The self-aligning, spherical/slider main rotor bearing, P/N 900C3010042-103, on or before attaining 480 hours TIS.

(4) The VSCS bellcrank assembly, P/N 900FP341712-103, and bellcrank arm, P/N 900F2341713-101 (used in the VSCS bellcrank assembly, P/N 900F2341712-101), on or before attaining 2,700 hours TIS.

(c) This AD revises the Airworthiness Limitations section of the maintenance manual by establishing new retirement lives for these parts.

(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, 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.

(e) 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.

(f) The modification shall be done in accordance with McDonnell Douglas Helicopter Systems Bulletin No. SB900-039, Revision 2, dated March 12, 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 McDonnell Douglas Helicopter Systems, Technical Publications, Bldg. 530/B11, 5000 E. McDowell Road, Mesa, Arizona 85205-9797. Copies may be inspected at the FAA, Office of the Assistant Chief Counsel, 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 July 10, 1997.

Issued in Fort Worth, Texas, on June 17, 1997.

**Eric Bries,**

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

[FR Doc. 97-16568 Filed 6-24-97; 8:45 am]

BILLING CODE 4910-13-U

#### COMMODITY FUTURES TRADING COMMISSION

##### 17 CFR Part 1

#### Alternative Method of Compliance With Requirements for Delivery and Retention of Monthly, Confirmation and Purchase-and-Sale Statements; Correction

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Correction to an Advisory.

**SUMMARY:** This document contains a correction to the Advisory that was published on Tuesday, June 10, 1997 (62 FR 31507). The Advisory related to delivery by futures commission merchants ("FCMs") of confirmation, purchase-and-sale and monthly statements by means of electronic media and related recordkeeping requirements. The correction clarifies potential confusion in connection with the Commodity Futures Trading Commission's ("Commission's") definition of "eligible customer" for purposes of the Advisory.

**EFFECTIVE DATE:** June 25, 1997.

**FOR FURTHER INFORMATION CONTACT:** Susan C. Ervin, Deputy Director/Chief Counsel; Lawrence B. Patent, Associate Chief Counsel; or Natalie A. Markman, Attorney-Advisor, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, DC 20581. Telephone: (202) 418-5450.

**SUPPLEMENTARY INFORMATION:** On June 10, 1997, the Commission published an Advisory issuing guidance to FCMs concerning alternative methods of compliance by FCMs with requirements in Commission Rules 1.33 and 1.46 pertaining to the delivery of specified customer account documents and requirements for recordkeeping in Commission Rule 1.31. The Commission defined an "eligible customer," for purposes of the Advisory, to include any person who is an "institutional customer," as "currently" defined by Federal Reserve Board ("FRB") Rule 225.2(g).<sup>1</sup> The Advisory included a list of the persons included in the Rule

<sup>1</sup> 12 CFR 225.2(g) (1996).