

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Parts 27 and 29**

[Docket No. 29008; Amdt. 27–34, 29–41]

Normal and Transport Category Rotorcraft Regulations**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Technical amendments; request for comments.

SUMMARY: This document amends the airworthiness standards for normal and transport category rotorcraft under 14 CFR parts 27 and 29. As published, the final regulations contain some incorrect word usage and omissions, misspellings, and incorrect references that may prove to be misleading and are in need of correction.

DATES: Effective November 28, 1997.

Comments for inclusion in the Rules Docket must be received on or before September 29, 1997.

ADDRESSES: Submit comments in duplicate to the Federal Aviation Administration, Office of the Chief Counsel (AGC–200), Attention: Rules Docket No. 29008, 800 Independence Ave., SW, Washington, DC 20591.

Comments may also be submitted electronically to the following Internet address: 9–NPRM–CMTS@faa.dot.gov. Comments submitted must be marked: Docket No. 29008.

Comments may be examined in Room 915G on weekdays between 8:30 a.m. and 5:00 p.m., except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mary June Bruner, FAA, Fort Worth, Texas 76193–0111, telephone (817) 222–5118, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: This action makes some nonsubstantive changes to various sections of parts 27 and 29. The affected parts, as published, contain some incorrect word usage and omissions, misspellings, and incorrect references. The FAA has determined that these changes are nonsubstantive and is not aware of any opposition to making these changes.

Further, the European Joint Aviation Authorities (JAA) has notified the FAA that they are issuing a Notice of Proposed Amendment (NPA) to make these same changes to the Joint Aviation Regulations (JAR) 27 and 29. Thus these changes to parts 27 and 29 will be harmonized with the JAA's NPA.

The FAA anticipates that this regulation will not result in adverse or negative comments and therefore is issuing it as technical amendments with

request for comments. Since the document would make only nonsubstantive word changes, the FAA is unaware of any opposition to these changes. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the amendments will be published in the **Federal Register**, and a notice of proposed rulemaking (NPRM) may be published with a new comment period.

Comments Invited

Although this action was not preceded by an NPRM, 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. Comments should identify the Rules Docket number and be submitted in duplicate 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 or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this 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 substantive FAA-public contact concerning this action will be filed in the 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. 29008." The postcard will be date stamped and returned to the commenter.

Availability

Using a modem and suitable communications software, an electronic copy of this document may be downloaded from the FAA regulations section of the FedWorld electronic bulletin board service (telephone: 703–321–3339) or the **Federal Register's** electronic bulletin board service (telephone: 202–512–1661).

Internet users may reach the FAA's web page at <http://www.faa.gov> or the **Federal Register's** web page at http://www.access.gpo.gov/su_docs for access to recently published rulemaking documents.

Any person may obtain a copy of this document by submitting a request to the FAA, Office of Rulemaking, ARM–1, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267–9680. Communications must identify the amendment number or docket number.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), there are no reporting or recordkeeping requirements associated with this document.

Agency Findings

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 rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (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) if promulgated, 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 copy of the regulatory evaluation prepared for this action is contained in the rules docket. A copy of it may be obtained by contacting the rules docket at the location provided under the caption **ADDRESSES**.

International Trade Impact Statement

The rule will not constitute a barrier to international trade, including the export of U.S. goods and services to foreign countries and the import of foreign goods and services into the United States.

Unfunded Mandates Reform Act Assessment

Title II of the Unfunded Mandates Reform Act of 1995 (the Act), codified as 2 U.S.C. §§ 1501–1571, requires each Federal agency, to the extent permitted by law, to prepare a written assessment of the effects of any Federal mandate in a proposed or final agency rule that may result in expenditures by State, local, and tribal governments, in the aggregate, or by the private sector of \$100 million or more (adjusted annually for inflation) in any one year.

This rule does not meet the thresholds of the Act. Therefore, the requirements of Title I of the Act do not apply.

Conclusion

For the reasons discussed in the preamble, and based on the findings in the Regulatory Flexibility Determination and International Trade Impact Analysis, the FAA has determined that this regulation is not significant under Executive Order 12866. In addition, the FAA certifies that this rule 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. This regulation is not considered significant under DOT Order 2100.5, Policies and Procedures for Simplification, Analysis, and Review of Regulations.

List of Subjects**14 CFR Part 27**

Air transportation, Aircraft, Aviation safety, Rotorcraft, Safety.

14 CFR Part 29

Air transportation, Aircraft, Aviation safety, Rotorcraft, Safety.

PART 27—AIRWORTHINESS STANDARDS: NORMAL CATEGORY ROTORCRAFT

Accordingly, the Federal Aviation Administration amends 14 CFR parts 27 and 29 as follows:

1. The authority citation for part 27 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44704.

§ 27.175 [Amended]

2. In § 27.175(b)(5), remove the symbol “V_{NH}” and add, in its place, the symbol “V_{NE}”.

§ 27.351 [Amended]

3. In § 27.351, paragraphs (b)(1) and (c)(1), add the word “maximum” before the words “pilot force” and remove the reference to “§ 27.395(a)” and add, in its place, “§ 27.397(a)”.

§ 27.391 [Amended]

4. In § 27.391, remove the references to “27.401”, “27.403”, and “27.413”.

§ 27.621 [Amended]

5. In § 27.621(c)(1)(ii), remove the word “penetrate” and add, in its place, “penetrant”.

PART 29—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY ROTORCRAFT

6. The authority citation for part 29 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701–44702, 44704.

§ 29.351 [Amended]

7. In § 29.351, paragraphs (b)(1) and (c)(1), remove the reference to “§ 29.395(a)” and, in its place, add “§ 29.397(a)”. In paragraph (b)(1), add the word “directional” between “cockpit” and “control”. In paragraph (c)(1), add the word “maximum” before the words “pilot force”.

§ 29.391 [Amended]

8. In § 29.391, remove the reference to “29.403” and, in its place, add “29.399”, and remove the reference to “29.413”.

§ 29.562 [Amended]

9. In § 29.562(b)(3), remove the word “floor” between the words “sidewall” and “attachment”.

§ 29.621 [Amended]

10. In § 29.621(c)(1)(ii), remove the word “penetrate” and, in its place, add the word “penetrant”.

§ 29.1125 [Amended]

11. In § 29.1125(a)(4), remove the word “Each” and in its place, add the word “No” and add the word “or” between the words “exchanger” and “muff”.

§ 29.1521 [Amended]

12. In § 29.1521(b)(1)(i), remove the word “be” and, in its place, add the word “by”; and remove “determined” and, in its place, add the word “determined”.

Issued in Washington, DC, on August 25, 1997.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

[FR Doc. 97–22973 Filed 8–28–97; 8:45 am]

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