

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 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) 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 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, 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 (AD) to read as follows:

**98-05-06 Pilatus Aircraft Ltd:** Amendment 39-10367; Docket No. 97-CE-98-AD.

**Applicability:** Model PC-12 airplanes, manufacturer's serial numbers (MSN) 101, 105, 106, 107, 109 through 112, 114, 115, 117 through 120, 122 through 125, 129, 131 through 140, 142, and 146; certificated in any category.

**Note 1:** This AD applies to each airplane 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 airplanes 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 as indicated in the body of this AD, unless already accomplished.

To prevent fatigue damage to the elevator, which could result in structural failure and eventual loss of control of the airplane, accomplish the following:

(a) Within the next 200 hours time-in-service (TIS) after the effective date of this AD, inspect the elevator for incorrect rivet lengths in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Pilatus Service Bulletin No. 55-001, dated November 8, 1996. Prior to further flight, install new rivets if incorrect rivet lengths are found in accordance with the above-referenced service bulletin.

(b) Within the next 200 hours TIS after the effective date of this AD, inspect the elevator to assure that an excessive gap (more than .004 inches or .1 millimeters (mm)) does not exist in the rivet shanks in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Pilatus Service Bulletin No. 55-001, dated November 8, 1996. Prior to further flight, install a shim between the rib and skin to fill any excessive gap in accordance with the above-referenced service bulletin.

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

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be used if approved by the Manager, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(e) Questions or technical information related to Pilatus Service Bulletin No. 55-001, dated November 8, 1996, should be directed to Pilatus Aircraft Ltd., Marketing Support Department, CH-6370 Stans, Switzerland; telephone: +41 41-6196 233; facsimile: +41 41-6103 351. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City.

(f) The inspection and installations required by this AD shall be done in accordance with Pilatus Service Bulletin No. 55-001 dated November 8, 1996. 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 Pilatus Aircraft Ltd., Marketing Support Department, CH-6370 Stans, Switzerland. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, 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 Swiss AD HB 96-535A, dated November 30, 1996, corrected January 28, 1998.

(g) This amendment (39-10367) becomes effective on May 29, 1998.

Issued in Kansas City, Missouri, on February 23, 1998.

**Marvin R. Nuss,**

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

[FR Doc. 98-5201 Filed 3-2-98; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-SW-62-AD; Amendment 39-10371; AD 98-05-10]

RIN 2120-AA64

#### Airworthiness Directives; Robinson Helicopter Company Model R44 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 Robinson Helicopter Company (Robinson) Model R44 helicopters. This action requires replacing the aluminum elbows that connect the oil cooler lines to the engine accessory case with steel elbows. This amendment is prompted by two reports of cracks that were discovered in aluminum elbows. The actions specified in this AD are intended to prevent failure of either the 45° or 90° aluminum elbows that connect the oil lines from the oil cooler to the engine accessory case, which would cause loss of engine oil, resulting in an engine failure and a subsequent forced landing.

**DATES:** Effective March 18, 1998.

Comments for inclusion in the Rules Docket must be received on or before May 4, 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-62-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elizabeth Bumann, Aerospace Engineer, Los Angeles Aircraft Certification Office, 3960 Paramount Blvd., Lakewood, California 90712-4137,

telephone (562) 627-5265; fax (562) 627-5210.

**SUPPLEMENTARY INFORMATION:** This amendment adopts a new AD that is applicable to Robinson Model R44 helicopters, serial numbers (S/N) 0001 through 0330. This action requires removing the aluminum (blue-colored) AN823-8D (45°) or MS20822-8D (90°) elbows that connect the A723 oil cooler lines to the engine accessory case and replacing them with steel MS20823-8 (45°) or MS20822-8 (90°) elbows. This amendment is prompted by two reports of cracks that were discovered in aluminum elbows. Subsequent inspections revealed that the cracks resulted from fatigue. The actions specified in this AD are intended to prevent failure of either the 45° or 90° aluminum elbows that connect the oil lines from the oil cooler to the engine accessory case, which would cause in loss of engine oil, resulting in an engine failure and a subsequent forced landing.

The FAA has reviewed Robinson Helicopter Company R44 Service Bulletin SB-25, dated October 1, 1997, which describes procedures for replacing both aluminum elbows with steel elbows.

Since an unsafe condition has been identified that is likely to exist or develop on other Robinson Model R44 helicopters, S/N 0001 through 0330, of the same type design, this AD is being issued to prevent failure of either the 45° or 90° aluminum elbows that connect the oil lines from the oil cooler to the engine accessory case, which would cause loss of engine oil, resulting in an engine failure and a subsequent forced landing. This AD requires, within 50 hours time-in-service, removing the aluminum (blue-colored) AN823-8D (45°) or MS20822-8D (90°) elbows that connect the A723 cooler lines to the engine accessory case and replacing them with steel MS20823-8 (45°) or MS20822-8 (90°) elbows. Due to the critical need for adequate lubrication of the engine and the short compliance time for replacing the aluminum elbows, this rule must be issued immediately to correct an unsafe condition in the affected helicopters.

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. 97-SW-62-AD." The postcard will be date stamped and returned to the commenter.

The FAA estimates that 50 helicopters will be affected by this AD, that it will take approximately 2 work hours to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$30 per helicopter. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$21,000.

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, 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 98-05-10 Robinson Helicopter

**Company:** Amendment 39-10371.

**Docket No.** 97-SW-62-AD.

**Applicability:** Model R44 helicopters, serial numbers 0001 through 0330, 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 50 hours time-in-service after the effective date of this AD, unless accomplished previously.

To prevent failure of either the 45° or 90° aluminum elbows that connect the oil lines from the oil cooler to the engine accessory case, which would cause loss of engine oil,

resulting in an engine failure and a subsequent forced landing, accomplish the following:

(a) Remove any aluminum (blue-colored) AN823-8D (45°) or MS20822-8D (90°) elbows that connect the A723 oil cooler lines to the engine accessory case and replace them with airworthy MS20823-8 (45°) steel elbows or MS20822-8 (90°) steel elbows, as applicable. If the color is difficult to distinguish, use a magnet to determine if the elbow is aluminum or steel. Apply B270-6 thread sealant/lubricant to the replacement elbows' pipe threads. Torque the elbows to 160 in-lbs. plus as much additional torque as is necessary to align for correct position with the oil line.

**Note 2:** Robinson Helicopter Company R44 Service Bulletin SB-25, dated October 1, 1997, pertains to the subject of this AD and describes procedures for replacing both aluminum elbows with steel elbows.

(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 Maintenance Inspector, who may concur or comment and then send it to the Manager, Los Angeles Aircraft Certification Office.

**Note 3:** 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.

(d) This amendment becomes effective on March 18, 1998.

Issued in Fort Worth, Texas, on February 24, 1998.

**Eric Bries,**

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

[FR Doc. 98-5353 Filed 3-2-98; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF COMMERCE

### Bureau of the Census

#### 15 CFR Part 70

[Docket No. 980209031-8031-01]

RIN 0607-AA18

#### Cutoff Dates for Recognition of Boundary Changes for Census 2000

**AGENCY:** Bureau of the Census, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of the Census is establishing the cutoff dates for recognition of boundary changes for

Census 2000. The cutoff dates are established for each decennial census of population and were last established for the 1990 census. For the tabulation and dissemination of data from Census 2000, the Bureau of the Census will recognize only those boundaries legally in effect on January 1, 2000, that have been reported officially to the Bureau of the Census no later than March 1, 2000.

**EFFECTIVE DATE:** March 3, 1998.

**FOR FURTHER INFORMATION CONTACT:** Joel L. Morrison, Chief, Geography Division, Bureau of the Census, Washington, DC 20233-7400, telephone (301) 457-1132, or e-mail (j.morrison@geo.census.gov).

**SUPPLEMENTARY INFORMATION:** The Bureau of the Census is amending 15 CFR Part 70 to establish cutoff dates for recognition of boundary changes for Census 2000. This technical amendment is necessary to change the dates that were established for the 1990 census on July 8, 1988 (51 FR 24653) and are out of date. The name of the census is changed from "1990 census" to "Census 2000", and the reference year is changed from 1990 to 2000 throughout the regulation. The Bureau of the Census will recognize only those boundaries legally in effect on January 1, 2000, that have been reported officially to it no later than March 1, 2000.

The Bureau of the Census finds good cause for dispensing with the notice and comment requirements of the Administrative Procedure Act because notice and comment are unnecessary so far as the public is concerned, since the rule makes merely technical amendments to update the dates from the 1990 census to Census 2000 (5 U.S.C. 553(b)(B)). A delay in the effective date is not required because this rule is not a substantive rule (5 U.S.C. 553(d)). Because a notice of proposed rulemaking and an opportunity for comment are not required for rulemaking under 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. This rule does not contain any collection of information subject to the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). It has been determined that this rule is not significant for purposes of Executive Order 12866.

#### List of Subjects in 15 CFR Part 70

Census data.

For the reasons set forth in the preamble, 15 CFR part 70 is amended to read as follows:

## PART 70—[AMENDED]

1. The authority for part 70 is revised to read as follows:

**Authority:** 13 U.S.C. 4 and Department of Commerce Organization Order 35-2A (40 FR 42765).

2. In 15 CFR part 70, remove the words "1990 census" wherever they appear and add, in their place, the words "Census 2000".

3. In addition to the amendments set forth above in 15 CFR part 70, remove the date "1990" wherever it appears and add, in its place, the date "2000".

### § 70.2 [Amended]

4. In § 70.2, remove the sentence "A more complete description appears on pages A1 and A2 of 1980 Census of Population, Volume I, Chapter A" and add, in its place, the sentence "A more complete description appears on pages A-6 and A-11 of 1990 Census of Population, Volume 1, General Population Characteristics, 1990 CP-1-1, Appendix A."

Dated: February 10, 1998.

**James F. Holmes,**

*Acting Director, Bureau of the Census.*

[FR Doc. 98-5421 Filed 3-2-98; 8:45 am]

BILLING CODE 3510-07-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 558

#### New Animal Drugs for Use in Animal Feeds; Chlortetracycline, Bacitracin Methylene Disalicylate

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of an abbreviated new animal drug application (ANADA) filed by Hoffmann-La Roche, Inc. The ANADA provides for use of single ingredient Type A medicated articles containing chlortetracycline and bacitracin methylene disalicylate to make a Type C medicated swine feed.

**EFFECTIVE DATE:** March 3, 1998.

**FOR FURTHER INFORMATION CONTACT:** Lonnie W. Luther, Center for Veterinary Medicine (HFV-102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-0209.

**SUPPLEMENTARY INFORMATION:** Hoffmann-La Roche, Inc., 340 Kingsland St., Nutley, NJ 07110-1199, filed ANADA