

obtained from the Rotorcraft Certification Office.

(g) 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 May 18, 1999.

Mark R. Schilling,

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

[FR Doc. 99-13318 Filed 5-25-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-SW-73-AD]

Airworthiness Directives; Bell Helicopter Textron, Inc. Model 204B, 205A, and 205A-1 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the superseding of an existing airworthiness directive (AD), applicable to Bell Helicopter Textron, Inc. (BHTI) Model 204B, 205A, and 205A-1 helicopters, that currently requires modification and inspections of the vertical fin spar for cracks. This action would require modification and visual and dye-penetrant inspections of the vertical fin spar for cracks, and if a crack is discovered, replacing the vertical fin spar. This action would also require a tapping test for disbonding and replacing certain fin spars within 12 calendar months. This proposal is prompted by an accident involving a Model 205A-1 helicopter and 4 other accidents involving helicopters of similar type design. The actions specified by the proposed AD are intended to prevent failure of the vertical fin spar, loss of the tail rotor, and subsequent loss of control of the helicopter.

DATES: Comments must be received on or before July 26, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-73-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m.,

Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Bell Helicopter Textron, Inc., P.O. Box 482, Fort Worth, Texas 76101, telephone (817) 280-3391, fax (817) 280-6466. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

FOR FURTHER INFORMATION CONTACT: Harry Edmiston, Aerospace Engineer, Rotorcraft Certification Office, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5158, fax (817) 222-5783.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-SW-73-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-73-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

Discussion:

On May 4, 1998, the FAA issued AD 97-18-11, Amendment 39-10520 (63 FR 26429, May 13, 1998), to require modifying and inspecting the vertical fin spar, and replacing it if a crack is found. That action was prompted by several failures of the vertical fin spar, including those with steel doublers, caused by fatigue cracks that result from a large number of high-power events. The requirements of that AD are intended to prevent failure of the vertical fin spar and subsequent loss of control of the helicopter.

Since the issuance of that AD, there have been 4 additional accidents involving models similar in type design to the Model 205A-1 helicopter that were caused by fatigue failure of the vertical fin spar. The manufacturer has issued BHTI Alert Service Bulletin (ASB) 205-98-71, Revision A, dated September 21, 1998, which specifies inspections of the vertical fin spar for cracks, and BHTI ASB No. 205-98-73, dated September 25, 1998, which specifies replacing the vertical fin spar assembly, part number (P/N) 205-030-899-101, 205-030-846-087 or -089, and P/N 205-032-851-003, -007, and -009, for the Model 205A and 205A-1 helicopters. Also, the manufacturer has issued BHTI ASB No. 204B-98-50, dated October 22, 1998, which specifies inspections of the fin spar for cracks, and replacing the fin spar assembly, P/N 205-030-846-001, -003, -047, -049, and P/N 205-030-899-001, -089, and P/N 204-030-825-063, -065. The FAA has further determined that the vertical fin spar must be replaced within 12 calendar months to ensure public safety.

Since an unsafe condition has been identified that is likely to exist or develop on other Model 204B, 205A, and 205A-1 helicopters of the same type design, the proposed AD would supersede AD 97-18-11 to require initial and repetitive inspections of the vertical fin spar for cracks. Also, replacing the vertical fin spar would be required within 12 calendar months. Replacing the vertical fin spar with a FAA-approved vertical fin spar configuration that satisfies the structural fatigue requirement of repeated high torque events would constitute a terminating action for the requirements of this AD.

The FAA estimates that 150 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 8 work hours per helicopter to accomplish the initial inspection and 0.5 work hour to accomplish each repetitive inspection. Replacing the vertical fin spar would

take approximately 150 work hours. The average labor rate is \$60 per work hour. The manufacturer has stated that parts will be provided at no cost. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$76,500 for the initial inspection and one repetitive inspection, and \$1,350,000 to replace the vertical fin spars on the entire fleet.

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 draft 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.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 removing Amendment 39-10520 (63 FR 26429, May 13, 1998), and by adding a

new airworthiness directive (AD), to read as follows:

Bell Helicopter Textron, Inc.: Docket No. 98-SW-73-AD. Supersedes AD 97-18-11, Amendment 39-10520, Docket No. 97-SW-32-AD.

Applicability: Model 204B helicopters with vertical fin spar (fin spar), part number (P/N) 205-030-899-001, -089, P/N 205-030-846-001, -003, -047, -049, or P/N 204-030-825-063, -065, installed, and Model 205A and 205A-1 helicopters, with fin spar, P/N 205-030-899-101, P/N 205-030-846-087, -089, or P/N 205-032-851-003, -007, -009, installed, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise 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 request approval for an alternative method of compliance in accordance with paragraph (c) 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, unless accomplished previously.

To prevent failure of the fin spar, loss of the tail rotor, and subsequent loss of control of the helicopter, accomplish the following:

- (a) For Model 204B helicopters:
 - (1) Within 8 hours time-in-service (TIS), modify the vertical fin and visually inspect the fin spar for cracks in accordance with Part I (A1), paragraphs 1 through 5 of Bell Helicopter Textron (BHTI) Alert Service Bulletin (ASB) 204B-98-50, dated October 22, 1998.
 - (i) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.
 - (ii) After inspection, apply MIL-PRF-81352 TYI clear lacquer or equivalent to the inside of the two lower rivet holes and on the surface where paint and primer were removed. Spray, brush or wipe on a protective coat of MIL-C-16173, Grade 2, or equivalent, over the clear lacquer. To facilitate subsequent inspections do not replace the two lower rivets. See Figure 2 of BHTI ASB 204B-98-50, dated October 22, 1998.

Note 2: BHTI-MED-SRM-1, pages 3-36 through 3-38, pertain to the installation of Hi-Loks.

- (iii) Before drilling or reaming, inspect all holes in the spar cap where rivets were removed for short edge distance. An existing edge distance less than 1.5 times the diameter of the drill or reamed hole must have FAA approval of the reworked area before proceeding.

(iv) Fasten the forward left-hand fin skin to the spar assembly using Hi-Loks and blind rivets as specified in Figure 2 of BHTI ASB 204B-98-50, dated October 22, 1998.

(v) Refinish the reworked area.

(2) After initial modification and inspection of the fin, thereafter inspect the fin spar for cracks at intervals not to exceed 8 hours TIS as follows:

(i) Accomplish Part I (A2), paragraphs 1 through 3 of BHTI ASB 204B-98-50, dated October 22, 1998.

(ii) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(iii) After inspection, accomplish Part I (A2), paragraphs 5 and 6 of BHTI ASB 204B-98-50, dated October 22, 1998.

(3) Within 25 hours TIS, modify and inspect the vertical fin as follows:

(i) Accomplish Part I (C1), paragraph 1 of BHTI ASB 204B-98-50, dated October 22, 1998.

(ii) Remove sufficient rivets from the bottom row of the forward left-hand fin skin to allow trimming of the forward left-hand fin skin along the "skin cutline", approximately fin station 64.31 (see Figure 2 of BHTI ASB 204B-98-50, dated October 22, 1998).

(iii) Before drilling or reaming, inspect all holes in the spar cap where rivets were removed for short edge distance. An existing edge distance less than 1.5 times the diameter of the drill or reamed hole must have FAA approval of the reworked area before proceeding.

(iv) Accomplish Part I (C1), paragraphs 3, 4, and 6 of BHTI ASB 204B-98-50, dated October 22, 1998.

(v) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(vi) Accomplish Part I (C1), paragraphs 10 through 14 of BHTI ASB 204B-98-50, dated October 22, 1998.

(4) After the initial modification and dye-penetrant inspection of the fin spar, thereafter at intervals not to exceed 300 hours TIS, inspect the fin spar as follows:

(i) Accomplish Part I (C2), paragraphs 1, 2, 3, 4, 5, and 7 of BHTI ASB 204B-98-50, dated October 22, 1998.

(ii) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(iii) Accomplish Part I (C2), paragraphs 11 through 14 of BHTI ASB 204B-98-50, dated October 22, 1998.

(5) Within 25 hours TIS, and thereafter at intervals not to exceed 300 hours TIS, inspect the fin spar as follows:

(i) Accomplish Part I (B), paragraphs 1 through 13 of BHTI ASB 204B-98-50, dated October 22, 1998.

(ii) Repair any disbonding discovered during the inspection before further flight.

(6) Within 12 calendar months, remove fin spar P/N 205-030-899-001, or -089, or P/N 205-030-846-001, -003, -047, or -049, or P/N 204-030-825-063, or -065. Replace it with an airworthy fin spar configuration that has been demonstrated to the FAA to satisfy the structural fatigue requirements of repeated high torque events and is approved by the Manager, Rotorcraft Standards Staff.

(7) Installation of a replacement fin spar approved by the Manager, Rotorcraft Standards Staff, constitutes a terminating action for the requirements of this AD.

(b) For Model 205A and 205A-1 helicopters:

(1) Within 8 hours TIS, modify the vertical fin and visually inspect the fin spar for cracks in accordance with Part I (A1), paragraphs 1 through 5 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(i) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(ii) After inspection, apply MIL-PRF-81352 TYI clear lacquer or equivalent to the inside of the two lower rivet holes and on the surface where paint and primer were removed. Spray, brush, or wipe on a protective coat of MIL-C-16173, Grade 2, or equivalent, over the clear lacquer. To facilitate subsequent inspections do not replace the two lower rivets. See figure 2 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(iii) Before drilling or reaming, inspect all holes in the spar cap where rivets were removed for short edge distance. An existing edge distance less than 1.5 times the diameter of the drill or reamed hole must have FAA approval of the reworked area before proceeding.

(iv) Fasten the forward left-hand fin skin and the retainer, P/N 205-032-851-045, to the fin spar assembly using Hi-Loks and blind rivets as specified in Figure 2 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(v) Refinish the reworked area.

(2) After initial modification and inspection of the vertical fin, thereafter, inspect the fin spar for cracks at intervals not to exceed 8 hours TIS as follows:

(i) Accomplish Part I (A2), paragraphs 1 through 3 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(ii) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(iii) After inspection, accomplish Part I (A2), paragraphs 5 and 6, of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(3) Within 25 hours TIS, modify and inspect the vertical fin as follows:

(i) Accomplish Part I (C1), paragraph 1 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(ii) Remove the clip, P/N 212-030-099-091, and radius block, P/N 212-030-099-095, if present. Remove the retainer, P/N 205-032-851-045, and sufficient rivets from the bottom row of the forward left-hand fin skin to allow trimming of the forward left-hand fin skin along the "skin cutline", at approximately Fin Station 66.31 (see Figure 2 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998).

(iii) Before drilling or reaming, inspect all holes in the spar cap where rivets were removed for short edge distance. An existing edge distance less than 1.5 times the diameter of the drill or reamed hole must have FAA approval of the reworked area before proceeding.

(iv) Accomplish Part I (C1), paragraphs 3, 4, and 6 in BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(v) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(vi) Accomplish Part I (C1) paragraphs 10 through 14 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(4) After the initial modification and dye-penetrant inspection of the fin spar, thereafter, at intervals not to exceed 300 hours TIS, inspect the fin spar as follows:

(i) Accomplish Part I (C2), paragraphs 1, 2, 3, 4, 5, and 7 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(ii) If a crack is discovered on the spar, replace the fin spar assembly with an airworthy fin spar assembly before further flight. Repair any corrosion or disbonding discovered during the inspection before further flight.

(iii) Accomplish Part I (C2), paragraphs 11 through 14 of ASB 205-98-71, Revision A, dated September 21, 1998.

(5) Within 25 hours TIS, and thereafter at intervals not to exceed 300 hours TIS inspect the fin spar as follows:

(i) Accomplish Part I (B), paragraphs 1 through 13 of BHTI ASB 205-98-71, Revision A, dated September 21, 1998.

(ii) Repair any disbonding discovered during the inspection before further flight.

(6) Within 12 calendar months, remove fin spar, P/N 205-030-899-001, or -089, or P/N 205-030-846-087, or -089, or P/N 205-032-851-003, -007, or -009. Replace it with an airworthy fin spar configuration that has been demonstrated to the FAA to satisfy the structural fatigue requirements of repeated high torque events and is approved by the Manager, Rotorcraft Standards Staff, or replace it with fin spar assembly, P/N 205-530-514-103, as specified in BHTI ASB 205-98-73, dated September 25, 1998.

(7) Installing fin spar, P/N 205-530-514-103, or a fin spar that has been approved by the Manager, Rotorcraft Standards Staff, constitutes terminating action for the requirements of this AD.

(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, FAA, Rotorcraft Directorate, Rotorcraft Certification Office. Operators shall submit their requests

through a FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Certification Office.

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

Issued in Fort Worth, Texas, on May 18, 1999.

Mark R. Schilling,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-13319 Filed 5-25-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF JUSTICE

28 CFR Part 81

[AG Order No. 2226-99]

RIN 1105-AA65

Office of the Attorney General; Designation of Agencies To Receive and Investigate Reports Required Under the Protection of Children From Sexual Predators Act

AGENCY: Department of Justice.

ACTION: Proposed rule.

SUMMARY: This proposed rule is intended to carry out the Attorney General's responsibilities under the child pornography reporting provisions of the Protection of Children from Sexual Predators Act of 1998 (PCSPA). The PCSPA requires providers of an electronic communication service or a remote computing service to the public, through a facility or means of interstate or foreign commerce, to report incidents of child pornography, as defined by section 2251, 2251A, 2252, 2252A, or 2260 of title 18, United States Code, to the appropriate Federal agency. In order to facilitate effective reporting, the PCSPA requires the Attorney General to designate "a law enforcement agency or agencies" to receive and investigate such reports of child pornography. This proposed rule sets forth the Attorney General's proposed designations and certain other matters covered by the PCSPA's reporting requirements.

DATES: Written comments must be submitted on or before July 26, 1999.

ADDRESSES: Please submit written comments, in triplicate, to the Chief, Child Exploitation and Obscenity Section, Criminal Division, Department