

Bulletin SB.26-44, dated February 25, 1999. 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 British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the **Federal Register**, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 4: The subject of this AD is addressed in British airworthiness directive 009-02-99.

(f) This amendment becomes effective on December 20, 1999.

Issued in Renton, Washington, on November 1, 1999.

Vi L. Lipski,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-29055 Filed 11-12-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-SW-48-AD; Amendment 39-11414; AD 99-23-18]

RIN 2120-AA64

Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) applicable to Bell Helicopter Textron Canada (BHTC) Model 407 helicopters. This action requires, before further flight, revising the life limits for certain parts and replacing each part that has exceeded its life limit. The AD also requires revising the applicable component history cards or equivalent records and the Airworthiness Limitations Schedule of the BHTC Model 407 maintenance manual to reflect these new life limits. This amendment is prompted by an engineering evaluation of additional flight test data, which resulted in redefining the service life for certain parts and revising the Airworthiness Limitations Schedule. The actions specified in this AD are intended to prevent a fatigue failure of certain parts that may have exceeded revised life limits and subsequent loss of control of the helicopter.

DATES: Effective November 30, 1999.

Comments for inclusion in the Rules Docket must be received on or before January 14, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99-SW-48-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

FOR FURTHER INFORMATION CONTACT: Shep Blackman, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5296, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION: Transport Canada, the airworthiness authority for Canada, notified the FAA that an unsafe condition may exist on BHTC Model 407 helicopters. Transport Canada advises that a recent engineering evaluation has led to changes in the airworthiness limitations of certain helicopter parts to account for repeated torque events in terms of the Retirement Index Number (RIN) or time-in-service.

BHTC has issued Alert Service Bulletin 407-98-22, dated December 10, 1998 (ASB), which specifies changes to the Airworthiness Limitations Schedule for certain parts to reflect the maximum life expressed in hours or by Retirement Index Numbers (RIN). Transport Canada classified this ASB as mandatory and issued Transport Canada AD CF-99-04, dated February 24, 1999, to ensure the continued airworthiness of these helicopters in Canada.

This helicopter model is manufactured in Canada and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other BHTC Model 407 helicopters of the same type design registered in the United States, this AD is being issued to prevent a fatigue failure of certain parts that may have exceeded revised life limits. This AD requires, before further flight, establishing new life limits for certain parts and replacing each part that has exceeded its life limit. The AD also

requires updating the component history cards or equivalent records for these parts. The short compliance time involved is required because the previously described critical unsafe condition could result in loss of control of the helicopter. Therefore, establishing a new life limit for certain parts and replacing each part that has exceeded its life limit is required prior to further flight and this AD must be issued immediately.

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.

The FAA estimates that 220 helicopters will be affected by this AD, that it will take approximately 21 work hours to replace all affected parts, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$39,109 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$8,881,180.

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. 99-SW-48-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, 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 99-23-18 Bell Helicopter Textron

Canada: Amendment 39-11414. Docket No. 99-SW-48-AD.

Applicability: Model 407 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 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: Prior to further flight, unless accomplished previously.

To prevent a fatigue failure of certain parts that may have exceeded revised life limits and subsequent loss of control of the helicopter, accomplish the following:

(a) Remove and replace with an airworthy part any of the following parts that exceed their revised life limits. Annotate the component history card or equivalent record with the revised life limits.

Part	Part No.	Former life limit	Revised life limit
Drive ring set	406-010-126-107	49,000 RIN	48,000 RIN.
Main rotor mast	407-040-038-101	5,000 hours TIS or 25,000 RIN	5,000 hours TIS or 18,000 RIN.
Left-hand pylon side beam	407-010-201-101	1,000 hours TIS	1,000 hours TIS or 5,500 RIN.
Right-hand pylon side beam	407-010-203-101	1,000 hours TIS	1,000 hours TIS or 5,500 RIN.
Pylon restraint spring	407-010-206-103	On-condition	5,000 hours TIS.

Note 2: Bell Helicopter Textron Canada (BHTC) Alert Service Bulletin 407-98-22, dated December 10, 1998, and Revision 9 to Chapter 4 of the Maintenance Manual BHT-407-MM-1 dated November 30, 1998, pertain to the subject of this AD.

(b) Revise the Airworthiness Limitations Schedule of the BHTC Model 407 maintenance manual by establishing or revising the retirement life for the parts as shown in paragraph (a).

(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, Regulations Group, FAA, Rotorcraft Directorate. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Regulations Group.

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

(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 November 30, 1999.

Note 4: The subject of this AD is addressed in Transport Canada AD CF-99-04, dated February 24, 1999.

Issued in Fort Worth, Texas, on November 3, 1999.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-29610 Filed 11-12-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airpace Docket No. 99-ANM-08]

Establishment of Class E Airspace; Glendive, MT

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes a Class E En Route Domestic Airspace Area in the vicinity of Glendive, MT. The effect of this action is to provide controlled airspace for the development of an off-airway route between Bismarck, ND, and Glendive, MT.

EFFECTIVE DATE: 0901 UTC, December 30, 1999.

FOR FURTHER INFORMATION CONTACT: Dennis Ripley, ANM-520.6, Federal