

**§ 39.13 [Amended]**

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

**AD 99-24-05 Eurocopter Deutschland**

**GMBH:** Amendment 39-11429. Docket No. 99-SW-58-AD. Supersedes Emergency Priority Letter AD 99-17-21, Docket No. 99-SW-51-AD.

**Applicability:** Model BO-105CB-5 and BO-105CBS-5 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 (g) 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 main rotor blade (blade) separation due to failure of a tension-torsion (TT) strap, accomplish the following:

(a) Before further flight:

(1) Create a component log card or equivalent record for each TT strap.

(2) Review the history of the helicopter and each TT strap. Determine the age since initial installation on any helicopter (age) and the number of flights on each TT strap. Enter both the age and the number of flights for each TT strap on the component log card or equivalent record. For the time-in-service (TIS) where the number of flights is unknown, multiply the number of hours TIS by 5 to determine the number of flights. If a TT strap has been previously used at any time on Model BO-105 helicopters not affected by this AD, multiply the number of flights accumulated on those other models by a factor 0.625 and then add that result to the number of flights accumulated on the Model BO-105CB-5 and BO-105CBS-5 helicopters.

(3) If the total hours TIS or number of flights and age cannot be determined for a TT strap, remove it from service.

(4) Remove any TT strap from service that has either accumulated 25,000 or more flights or has an age equal to or greater than 180 months.

(b) When a TT strap age is equal to or greater than 120 months and less than 180 months and has accumulated less than 25,000 flights, inspect the TT strap in accordance with paragraph 2.B.2. of the "Accomplishment Instructions," Eurocopter Deutschland GMBH Alert Service Bulletin BO 105 No. ASB-BO 105-10-113, dated August 11, 1999 (ASB), according to the following:

(1) If the age is greater than or equal to 120 months but less than 132 months and has less than 22,000 flights, inspect the TT strap within the next 6 weeks. If the number of

flights equals or exceeds 22,000, inspect the TT strap before further flight.

(2) If the age is greater than or equal to 132 months but less than 144 months and has less than 19,000 flights, inspect the TT strap within the next 5 weeks. If the number of flights equals or exceeds 19,000, inspect the TT strap before further flight.

(3) If the age is greater than or equal to 144 months but less than 156 months and has less than 16,000 flights, inspect the TT strap within the next 4 weeks. If the number of flights equals or exceeds 16,000, inspect the TT strap before further flight.

(4) If the age is greater than or equal to 156 months but less than 168 months and has less than 13,000 flights, inspect the TT strap within the next 3 weeks. If the number of flights equals or exceeds 13,000, inspect the TT strap before further flight.

(5) If the age is greater than or equal to 168 months but less than 180 months and has less than 10,000 flights, inspect the TT strap within the next 2 weeks. If the number of flights equals or exceeds 10,000, inspect the TT strap before further flight.

(c) If a defect is found as a result of the inspection in paragraph (b), remove the TT strap from service prior to further flight.

(d) If no defect is found as a result of the inspection in paragraph (b), a maximum of 500 flights is permitted on a one-time basis before the TT strap must be replaced, provided the limits of paragraphs (a)(4) and (b) are not exceeded.

(e) TT straps, part number (P/N) 2604067 or J17322-1, are not eligible for installation. Prior to installation, P/N 2604067 or J17322-1 must be reidentified according to paragraph 2.B.1.2. of the "Accomplishment Instructions" of the ASB.

(f) When the TT straps are replaced because of age, usage, or defects, reidentify the main rotor head in accordance with paragraph 2.B.1.2. of the "Accomplishment Instructions" of the ASB.

(g) 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. 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 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Regulations Group.

(h) Special flight permits may be issued for up to five flights 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.

(i) The TT strap inspections and reidentification shall be done in accordance with paragraphs 2.B.1.2. and 2.B.2. of the "Accomplishment Instructions" in Eurocopter Deutschland GMBH Alert Service Bulletin No. ASB-BO 105-10-113, dated August 11, 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 American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 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.

(j) This amendment becomes effective on December 3, 1999.

**Note 3:** The subject of this AD is addressed in Luftfahrt-Bundesamt (LBA), Federal Republic of Germany, AD 1999-289, dated August 11, 1999.

Issued in Fort Worth, Texas, on November 10, 1999.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate,*

*Aircraft Certification Service.*

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 99-NE-06-AD; Amendment 39-11334; AD 99-20-04]

RIN 2120-AA64

**Airworthiness Directives; Pratt & Whitney JT9D-7R4 Series Turbofan Engines; Correction**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; correction

**SUMMARY:** This document makes a correction to Airworthiness Directive (AD) 99-20-04 applicable to certain Pratt & Whitney (PW) JT9D series turbofan engines that was published in the **Federal Register** on September 24, 1999 (64 FR 51683). The final rule inadvertently references HPC disk fracture instead of HPT disk fracture and one service bulletin (SB) reference in the compliance section is incorrect. This document corrects those references. The Compliance section in the final rule was inadvertently changed to incorporate the compliance requirements used in a similar PW2000 Airworthiness Directive. The Compliance requirements were correctly published in the NPRM, but were published incorrectly in the Final Rule. This correction will reinstate the compliance requirements originally published in the NPRM, and as intended for the JT9D. In all other respects, the original document remains the same.

**EFFECTIVE DATE:** November 18, 1999.  
**FOR FURTHER INFORMATION CONTACT:** Peter White, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (781) 238-7128, fax (781) 238-7199.

**SUPPLEMENTARY INFORMATION:** A final rule airworthiness directive applicable to Pratt & Whitney (PW) JT9D-7R4 series turbofan engines, was published in the **Federal Register** on September 24, 1999 (64 FR 51683). The Rule should reference HPT disk fracture instead of HPC disk fracture. In addition, a typographical error occurred and, as a result, one Service Bulletin reference regarding the performance of the inspections is incorrect and has been corrected to refer to the SB that contains the actual inspection procedure. The following corrections are needed:

- § 39.13 [Corrected]**
1. On page 51684, in the first column, in the Compliance Section, in the first paragraph, in the second line, "To prevent a high pressure compressor (HPC) disk fracture" is corrected to read "To prevent a high pressure turbine (HPT) disk fracture."
2. On page 51684, in the second column, in the Compliance Section, in paragraph (a), in the sixth, seventh, eighth and ninth lines, ""PW SB JT9D-7R4-72-552, Revision 1, dated February 17, 1999 at each separation of the HPT disk from the HPT module after the effective date of the AD." is corrected to read "PW SB JT9D-7R4-72-553, Revision 1, dated February 17, 1999 at each HPT disk piece part accessibility after the effective date of this AD."

**David A. Downey,**  
*Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.*  
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**BILLING CODE 4910-13-U**

**RAILROAD RETIREMENT BOARD**

**20 CFR Part 220**

**RIN 3220-AB41**

**Determining Disability**

**AGENCY:** Railroad Retirement Board.

**ACTION:** Interim final rule.

**SUMMARY:** The Railroad Retirement Board (Board) amends its regulations to increase from \$500 to \$700 the average monthly earnings guidelines used to determine whether work done by an individual may be considered regular

employment. This change coincides with an increase in the guidelines contained in the regulations of the Social Security Administration for determining substantial gainful activity that became effective July 1, 1999.

**DATES:** *Effective Date:* This rule is effective November 18, 1999.

*Applicability Date:* This rule will be applied to all disability claims for which a final decision had not been rendered as of July 1, 1999.

*Comment Date:* Comments due on or before January 18, 2000.

**ADDRESSES:** Comments may be made to the Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

**FOR FURTHER INFORMATION CONTACT:** Thomas W. Sadler, Senior Attorney, (312) 751-4513, TDD (312) 751-4701.

**SUPPLEMENTARY INFORMATION:** The Railroad Retirement Act provides for disability annuities for employees, widow(er)s, and children of deceased railroad employees who are unable to engage in any regular employment because of a permanent physical or mental impairment. Regular employment is defined by reference to the definition of substantial gainful activity under the Social Security Act. Sections 220.141 and 220.142 of the Board's regulations reflect this definition and define "substantial gainful activity" (SGA) as work activity that involves doing significant physical or mental activities for pay or profit. Work activity is gainful if it is the kind of work usually done for pay or profit, whether or not a profit is realized. Section 220.143 sets forth earnings levels at which the Board considers a disabled person to be engaged in SGA regardless of the severity of his or her impairment. The amount of average monthly earnings that ordinarily demonstrates SGA for people with an impairment has not been increased since January 1, 1990. Consequently, with respect to months after June 1999 the Board raises from \$500 to \$700 the average monthly earnings guidelines used to determine whether work done by a person with a disability is substantial gainful activity. The Board has determined that an increase in the amount of earnings that constitutes SGA provides an updated indicator of when earnings demonstrate the ability to engage in SGA and is a significant improvement to the existing incentives to encourage individuals with disabilities to attempt to work. This increase also conforms to changes in the regulations of the Social Security Administration which became effective July 1, 1999 (64 FR 18566, April 15,

1999; a correction appears at 64 FR 22903, April 28, 1999).

The Board is publishing this rule as an interim final rule in order to make it effective immediately. However, any person wishing to comment on this rule may do so within 60 days of this publication in the **Federal Register**.

In order to comply with the President's June 1, 1998 memorandum directing the use of plain language for all proposed and final rulemaking, the regulatory paragraphs affected by the above rule changes have been rewritten into plain language. The rewrite is intended to have no substantive effect other than those substantive changes described in this preamble to these rules.

The Board, with the concurrence of the Office of Management and Budget, has determined that this rule is not a significant regulatory action under Executive Order 12866. Therefore, no regulatory impact analysis is required. There are no information collections associated with this rule.

**List of Subjects in 20 CFR Part 220**

Disability benefits, Railroad employees, Railroad retirement.

For the reasons set out in the preamble, the Railroad Retirement Board amends § 220.143 of title 20, chapter II, part 220 of the Code of the Federal Regulations as follows:

**PART 220—DETERMINING DISABILITY**

1. The authority for part 220 continues to read as follows:
- Authority:** 45 U.S.C. 231a; 45 U.S.C. 231f.
2. In § 220.143, paragraphs (b)(2), (3), and (4) are revised as follows:

**§ 220.143 Evaluation guides for an employed claimant.**

\* \* \* \* \*

(b) \* \* \*

(2) *Earnings that will ordinarily show that the claimant has engaged in substantial gainful activity.* The Board will consider that the earnings from the employed claimant's work activities show that the claimant has engaged in substantial gainful activity if—

| For months                        | Monthly earnings averaged more than |
|-----------------------------------|-------------------------------------|
| In calendar years before 1976 ... | \$200                               |
| In calendar year 1976 .....       | 230                                 |
| In calendar year 1977 .....       | 240                                 |
| In calendar year 1978 .....       | 260                                 |
| In calendar year 1979 .....       | 280                                 |
| In calendar years 1980-1989 ..... | 300                                 |
| In January 1990-June 1999 .....   | 500                                 |
| After June 1999 .....             | 700                                 |