

## 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 the following new airworthiness directive:

**Raytheon Aircraft Company (Formerly Beech):** Docket 99–NM–372–AD.

**Applicability:** Model 400A series airplanes, having serial numbers RK–01 through RK–188 inclusive; Model 400T (T–1A) series airplanes, having serial numbers TT–01 through TT–180 inclusive; and Model 400T (TX) series airplanes, having serial numbers TX–01 through TX–09 inclusive; 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 (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 detachment or breakage of wires in the temperature switch assemblies of the wing ice protection system, which could result in the flightcrew not being advised of an over-temperature situation on the leading edge of the wing, and consequent structural damage to the wing, accomplish the following:

#### Replacement

(a) At the next scheduled inspection, but no later than 200 flight hours after the effective date of this AD, replace temperature switch assemblies of the wing ice protection system with new, improved temperature switch assemblies, in accordance with Raytheon Service Bulletin 30–3008, Revision 1, dated August 1999.

**Note 2:** Replacements accomplished prior to the effective date of this AD in accordance with Raytheon Service Bulletin 30–3008, dated March 1999, are considered acceptable for compliance with the applicable action specified in this AD.

#### Spares

(b) As of the effective date of this AD, no person shall install, on any airplane, a temperature switch assembly having a part number listed in the “Old Part Number” column of the table in 2.D. of Raytheon Service Bulletin 30–3008, Revision 1, dated August 1999.

#### Alternative Methods of Compliance

(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, Wichita Aircraft Certification Office (ACO), FAA, Small Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

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

#### Special Flight Permits

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

Issued in Renton, Washington, on January 5, 2000.

**Donald L. Riggins,**

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

[FR Doc. 00–599 Filed 1–11–00; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99–SW–28–AD]

#### Airworthiness Directives; Agusta Model A109C and A109K2 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 Agusta Model A109C and A109K2 helicopters. That AD currently requires removing the main rotor pitch control link assemblies, measuring the radial play of each upper and lower spherical rod-end bearing (bearing), and replacing any unairworthy bearing. This action would require replacing the pitch control link assembly with an assembly that has increased durability and wear resistance. This proposal is prompted by reports of increased helicopter vibration caused by wear of bearings on certain pitch control link assemblies. The actions specified by the proposed AD are intended to eliminate the need for recurring bearing inspections and to prevent failure of a bearing, increased

helicopter vibration, and subsequent reduced controllability of the helicopter.

**DATES:** Comments must be received on or before March 13, 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–28–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 Agusta, 21017 Cascina Costa di Samarate (VA), Via Giovanni Agusta 520, telephone (0331) 229111, fax (0331) 229605–222595. 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:

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:

##### 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. 99–SW–28–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. 99-SW-28-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

### Discussion

On January 8, 1999, the FAA issued AD 99-02-09, Amendment 39-11000 (64 FR 2559, January 15, 1999), to require removing the main rotor pitch control link assemblies, measuring the radial play of the bearings, and replacing any unairworthy bearings. That action was prompted by four reports of increased helicopter vibration due to wear in the bearings of the pitch control link assembly. The requirements of that AD are intended to prevent increased helicopter vibration due to unairworthy bearings resulting in subsequent reduced controllability of the helicopter.

Since the issuance of that AD, the FAA has received additional reports of unairworthy bearings and notification of the introduction of an upgraded pitch control link assembly. The Registro Aeronautico Italiano (RAI) issued AD's 95-332, dated December 15, 1995, and 95-334, dated December 18, 1995. Agusta S.p.A. issued Bollettino Tecnico Nos. 109K-10 and 109-103, both dated November 22, 1995 (BT). The BT's specify replacing each pitch control link rod end assembly, part number (P/N) 109-0110-71-103 and -105, on Agusta Model A109K2 helicopters through serial number (S/N) 10023 (S/N 10014 excluded), and on Model A109C through S/N 7677, (S/N's 7633, 7654, and 7667 excluded) by reworking and reidentifying as pitch control link assembly, P/N 109-0110-71-107.

Since an unsafe condition has been identified that is likely to exist or develop on other Agusta Model A109C and A109K2 helicopters of the same type designs, the proposed AD would supersede AD 99-SW-28-AD to require replacing the main rotor pitch link assemblies with assemblies that have increased durability and wear resistance.

The FAA estimates that 3 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 7 work hours per helicopter to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$2,200 per helicopter. Based on these figures, the

total cost impact of the proposed AD on U.S. operators is estimated to be \$7,860.

The regulations proposed herein would not have a substantial direct effect 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, it is determined that this proposal would not have federalism implications under Executive Order 13132.

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 39-11000 (64 FR 2559, January 15, 1999, and by adding a new airworthiness directive (AD), to read as follows:

**Agusta S.p.A.:** Docket 99-SW-28-AD.

Supersedes AD 99-02-09, Amendment 39-11000, Docket 97-SW-55-AD.

Applicability: Model A109C and A109K2 helicopters, with main rotor pitch control link assemblies, part number (P/N) 109-0110-71-103 or -105, 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 (b) 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 before further flight, unless accomplished previously.

To prevent failure of a main rotor pitch control link rod-end spherical bearing, increased vibration level, and subsequent reduced controllability of the helicopter, accomplish the following:

(a) Rework each main rotor pitch control link assembly, P/N 109-0110-71-103 or -105, and reidentify as pitch control link assembly, P/N 109-0110-71-107, in accordance with the Compliance Instructions of Agusta Bollettino Tecnico 109K-10 or 109-103, both dated November 22, 1995, as applicable.

(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, Regulations Group, Rotorcraft Directorate, 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.

(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.

**Note 3:** The subject of this AD is addressed in Registro Aeronautico Italiano (Italy) AD's 95-332, dated December 15, 1995, and 95-334, dated December 18, 1995.

Issued in Fort Worth, Texas, on January 5, 2000.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate,*

*Aircraft Certification Service.*

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