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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 353

[Docket No. 99–100–4]

#### Export Certification; Canadian Solid Wood Packing Materials Exported From the United States to China

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Affirmation of interim rule as final rule.

**SUMMARY:** We are adopting as a final rule, without change, an interim rule that amended the regulations for the certification of softwood (coniferous) packing materials used with goods exported from the United States to China. Prior to the interim rule, the packing materials had to be certified as having been heat treated in the United States. The interim rule allowed certification of packing materials that were heat treated in Canada if that treatment was certified by the Canadian Food Inspection Agency to meet requirements established by the Government of the People's Republic of China. The interim rule was necessary to facilitate the exportation of the large volume of U.S. goods shipped to China using Canadian-origin coniferous solid wood packing materials.

**EFFECTIVE DATE:** The interim rule became effective on July 11, 2001.

**FOR FURTHER INFORMATION CONTACT:** Mr. Frederick Thomas, Export Specialist, Phytosanitary Issues Management, PPQ, APHIS, 4700 River Road Unit 140, Riverdale, MD 20737–1236; (301) 734–8367.

#### SUPPLEMENTARY INFORMATION:

#### Background

In an interim rule effective July 11, 2001, and published in the **Federal**

**Register** on July 17, 2001 (66 FR 37114–37117, Docket No. 99–100–3), we amended the export certification regulations in 7 CFR part 353 regarding the certification of softwood (coniferous) packing materials used with goods exported from the United States to China. The interim rule allowed certification of packing materials that were heat treated in Canada if that treatment was certified by the Canadian Food Inspection Agency to meet requirements established by the Government of the People's Republic of China. These changes were necessary to facilitate the exportation of the large volume of U.S. goods shipped to China using Canadian-origin coniferous solid wood packing materials.

Comments on the interim rule were required to be received on or before September 17, 2001. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

#### List of Subjects in 7 CFR Part 353

Exports, Plant diseases and pests, Reporting and recordkeeping requirements.

#### PART 353—EXPORT CERTIFICATION

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR part 353 and that was published at 66 FR 37114–37117 on July 17, 2001.

**Authority:** 7 U.S.C. 7711, 7712, 7718, 7751, and 7754; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 11th day of January, 2002.

**W. Ron DeHaven,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 02–1240 Filed 1–16–02; 8:45 am]

**BILLING CODE 3410–34–U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001–SW–21–AD; Amendment 39–12598; AD 2002–01–07]

RIN 2120–AA64

#### Airworthiness Directives; Bell Helicopter Textron Canada Model 430 Helicopters

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) for Bell Helicopter Textron Canada (BHTC) Model 430 helicopters that requires changes to the electrical power distribution system. This amendment is prompted by design deficiencies in the electrical systems. The actions specified by this AD are intended to prevent failure of both generators, loss of primary electrical power, and subsequent loss of control of the helicopter.

**DATES:** Effective February 21, 2002.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 21, 2002.

**ADDRESSES:** The service information referenced in this AD may be obtained from Bell Helicopter Textron Canada, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4, telephone (450) 437–2862 or (800) 363–8023, fax (450) 433–0272. This information may be examined 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.

**FOR FURTHER INFORMATION CONTACT:** Robert McCallister, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193–0110, telephone (817) 222–5121, fax (817) 222–5961.

**SUPPLEMENTARY INFORMATION:** A proposal to amend 14 CFR part 39 to include an AD for BHTC Model 430 helicopters was published in the **Federal Register** on October 12, 2001 (66 FR 52072). That action proposed to

require, before further flight after March 31, 2002, accomplishing the electrical power distribution system changes in accordance with BHTC Alert Service Bulletin No. 430-01-19, dated February 22, 2001 (ASB).

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 33 helicopters of U.S. registry will be affected by this AD, that it will take approximately 48 work hours per helicopter to accomplish the changes to the electrical system, and that the average labor rate is \$60 per work hour. The manufacturer states in its ASB that the parts will be provided at no cost before March 31, 2002. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$95,040.

The regulations adopted herein will 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 final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (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 it 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 to read as follows:

**2002-01-07 Bell Helicopter Textron Canada:**  
Amendment 39-12598. Docket No. 2001-SW-21-AD.

**Applicability:** Model 430 helicopters, serial numbers 49002 through 49071, 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 as indicated, unless accomplished previously.

To prevent failure of both generators, loss of primary electrical power, and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight after March 31, 2002, perform the Accomplishment Instructions, paragraphs 1 through 124, of Bell Helicopter Textron Canada Alert Service Bulletin No 430-01-19, dated February 22, 2001, which is terminating action for the requirements of this AD.

(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 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the requirements of this AD can be accomplished.

(d) The modification shall be done in accordance with the Accomplishment Instructions, paragraphs 1 through 124, of Bell Helicopter Textron Canada Alert Service Bulletin No 430-01-19, dated February 22, 2001. 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 Bell Helicopter Textron Canada, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4, telephone (450) 437-2862 or (800) 363-8023, fax (450) 433-0272. 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.

(e) This amendment becomes effective on February 21, 2002.

**Note 3:** The subject of this AD is addressed in Transport Canada (Canada) AD No. CF-2000-32R1, dated May 28, 2001.

Issued in Fort Worth, Texas, on January 4, 2002.

**David A. Downey,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 02-1055 Filed 1-16-02; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-SW-56-AD; Amendment 39-12601; AD 2001-25-51]

RIN 2120-AA64

#### Airworthiness Directives; MD Helicopters, Inc. Model MD900 Helicopters

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 2001-25-51, which was sent previously to all known U.S. owners and operators of MD Helicopters, Inc. (MDHI) Model MD900 helicopters by individual letters. This AD requires performing a dual power confirmation test on the Integrated Instrument Display System (IIDS) and inserting a revision to the Rotorcraft Flight Manual (RFM), as applicable. If the IIDS fails the power test, replacing it is required before further flight. Removing the temporary revision when the IIDS is replaced and inserting the applicable revision into the RFM is also required. This AD is prompted by the failure of the IIDS during a helicopter hover operation. The actions specified by this AD are intended to prevent total power failure of the IIDS and the subsequent inability to monitor information and warning indications essential for the operation of the helicopter.