

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-SW-04-AD]

#### Airworthiness Directives; Robinson Helicopter Company Model R22 Helicopters

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to Robinson Helicopter Company (Robinson) Model R22 helicopters with a Lycoming O-360-J2A engine installation. This proposal would require replacing the carburetor and carburetor air temperature (CAT) gage with an improved carburetor that does not require manual leaning of the fuel/air mixture during flight, and a remarked CAT gage; and revising the Rotorcraft Flight Manual to remove the reference to leaning the engine. This proposal is prompted by a report from the Civil Aviation Authority of Great Britain that cautioned that the mixture control could inadvertently be placed in the idle cutoff position during in-flight manual leaning of the fuel/air mixture in the carburetor of the Lycoming O-360-J2A engine. The actions specified by the proposed AD are intended to prevent inadvertent placement of the mixture control to the idle cutoff position during in-flight leaning of the engine, which could result in an engine shutdown and subsequent loss of control of the helicopter.

**DATES:** Comments must be received by July 18, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Assistant Chief Counsel, Attention: Rules Docket No. 97-SW-04-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 Robinson Helicopter Company, 2901 Airport Drive, Torrance, California 90505. This information may be examined at the FAA, Office of the Assistant Chief Counsel, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elizabeth Bumann, Aerospace Engineer, FAA, Los Angeles Aircraft Certification Office, Propulsion Branch, 3960 Paramount Boulevard, Lakewood, California 90712, telephone (562) 627-5265, fax (562) 627-5210.

#### 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. 97-SW-04-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 Assistant Chief Counsel, Attention: Rules Docket No. 97-SW-04-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

#### Discussion

This document proposes the adoption of a new AD that is applicable to Robinson Model R22 helicopters, serial numbers (S/N) 2571 through 2664. This proposal would require replacing the MA-4-5 carburetor and CAT gage, part number (P/N) C604-6, with an airworthy MA-4SPA carburetor and CAT gage, P/N A606-2; and mandating the Robinson Model R22 Rotorcraft Flight Manual (RFM) revision dated February 6, 1997 be inserted into the RFM. These revised supplements to the RFM do not provide for leaning of the carburetor mixture. This proposal is prompted by a report from the Civil Aviation Authority of Great Britain that cautioned that the mixture control could inadvertently be placed in the idle cutoff position during in-flight leaning of the O-360-J2A engine. This condition, if not corrected, could result in inadvertent placement of the mixture control to the idle cutoff position during in-flight leaning of the engine, which could result in an engine shutdown during flight and subsequent loss of control of the helicopter.

The FAA has reviewed Robinson Helicopter Company R22 Service Bulletin SB-82, dated March 3, 1997, and Robinson Helicopter Company KI-114 O-360 Engine Carburetor Change Kit instructions, Revision A, dated March 6, 1997, which describe procedures for removing the MA-4-5 carburetor and the CAT gage, P/N C604-6, and replacing them with an airworthy MA-4SPA carburetor and CAT gage, P/N A604-2, and revising the RFM Section 9, Supplements 7 (for Beta II) and 8 (for Mariner II) to eliminate the leaning procedure.

Since an unsafe condition has been identified that is likely to exist or develop on other Robinson Model R22 helicopters of the same type design, the proposed AD would require, within 50 hours time-in-service (TIS) after the effective date of this AD, removing the MA-4-5 carburetor and CAT gage, P/N C604-6, replacing them with an airworthy MA-4SPA carburetor and

CAT gage, P/N A604-2, and revising the RFM. The actions would be required to be accomplished in accordance with the service bulletin compliance procedures and kit instructions described previously.

The FAA estimates that 50 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 5 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 \$3,641 per helicopter. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$197,050.

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 adding a new airworthiness directive to read as follows:

**Robinson Helicopter Company:** Docket No. 97-SW-04-AD.

**Applicability:** Model R22 helicopters, serial numbers (S/N) 2571 through 2664, certificated in any category.

**Note 1:** This AD applies to each helicopter 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 helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

**Compliance:** Required within 50 hours time-in-service after the effective date of this AD, unless accomplished previously.

To prevent inadvertent placement of the mixture control to the idle cutoff position during in-flight leaning of the engine, which could result in an engine shutdown during flight and subsequent loss of control of the helicopter, accomplish the following:

(a) Remove the MA-4-5 carburetor and carburetor air temperature (CAT) gage, part number (P/N) C604-6, and replace them with an airworthy MA-4SPA carburetor and remarked CAT gage, P/N A604-2, in accordance with Robinson Helicopter Company R22 Service Bulletin SB-82, dated March 3, 1997, and Robinson Helicopter Company KI-114 O-360 Engine Carburetor Change Kit instructions, Revision A, dated March 6, 1997.

(b) Upon completion of paragraph (a) of this AD, insert the FAA-approved R22 Pilot's Operating Handbook Section 9, Supplements 7 (R22 Beta II) and 8 (R22 Mariner II), revised February 6, 1997, or a later FAA-approved revision, into the R22 Rotorcraft Flight Manual.

(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, Los Angeles Aircraft Certification Office, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Los Angeles Aircraft Certification Office.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles Aircraft 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 8, 1997.

**Mark R. Schilling,**

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

[FR Doc. 97-13082 Filed 5-16-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 96-AWP-6]

#### Proposed Modification to the Saipan Class D Airspace Area; CQ

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to modify the Saipan, CQ, Class D airspace area. Specifically, this action proposes to raise the ceiling of the existing Class D airspace area from 2,500 feet mean sea level (MSL) to 2,700 feet MSL. The FAA proposes this action to enhance safety and better manage air traffic operations into and out of the Saipan International Airport.

**DATES:** Comments must be received on or before July 7, 1997.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Air Traffic Division, AWP-500, Docket No. 96-AWP-6, Federal Aviation Administration, P. O. Box 92007, Worldway Postal Center, Los Angeles, CA 90009.

The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 915, 800 Independence Avenue, SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

**FOR FURTHER INFORMATION CONTACT:** William C. Nelson, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.