

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 the following new airworthiness directive:

Bombardier Inc. (Formerly Canadair):

Amendment 39–10458. Docket 98–NM–05–AD.

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 detect and correct cracking in the wing to fuselage frame-angles, which could result in reduced structural integrity of the airframe, accomplish the following:

(a) Perform an eddy current inspection of the wing to fuselage frame angles on the front and rear spars (for Model CL–15–1A10 series airplanes) or on the front spar (for Model CL–215–6B11 series airplanes), as applicable, at the later of the times specified in paragraphs (a)(1) and (a)(2) of this AD; in accordance with Canadair Alert Service Bulletin 215–A476, Revision 1, dated January 14, 1997. Thereafter, repeat the inspection at intervals not to exceed 415 flight hours.

(1) Prior to the accumulation of 2,300 total flight hours, or

(2) Within 300 flight hours or 12 months after the effective date of this AD, whichever occurs first.

(b) If any crack is found during any inspection required by paragraph (a) of this AD, prior to further flight, repair in accordance with a method approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate.

(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, New York ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(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.

(e) The inspections shall be done in accordance with Canadair Alert Service Bulletin 215–A476, Revision 1, dated January 14, 1997. 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 Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centreville, Montreal, Quebec H3C 3G9, Canada. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in Canadian airworthiness directive CF–97–07, dated May 28, 1997.

(f) This amendment becomes effective on July 9, 1998.

Issued in Renton, Washington, on April 3, 1998.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 98–9340 Filed 4–9–98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–SW–27–AD; Amendment 39–10462; AD 98–08–13]

RIN 2120–AA64

Airworthiness Directives; Eurocopter France Model SA 330F, G, and J, and AS 332C, L, L1, and L2 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to Eurocopter France Model SA 330F, G, and J, and AS 332C, L, L1, and L2 helicopters. This action requires daily inspections of the root of each tail rotor head pitch change spider arm (spider arm) for cracks, and an inspection of the tail rotor head pitch change spider (spider) for cracks and

fretting corrosion. A terminating action for the requirements of this AD is the installation of an airworthy modified spider, an airworthy replacement spider, or an airworthy repaired spider. This amendment is prompted by one in-service report of fatigue cracking on a Model AS 332 helicopter. This condition, if not corrected, could result in failure of the spider arm, loss of control of the tail rotor blade, and subsequent loss of control of the helicopter.

DATES: Effective April 27, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 27, 1998.

Comments for inclusion in the Rules Docket must be received on or before June 9, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 97–SW–27–AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

The service information referenced in this AD may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053–4005, telephone (972) 641–3460, fax (972) 641–3527. 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: Mr. Mike Mathias, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5123, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: The Direction Generale De L'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on Eurocopter France Model SA 330F, G, and J, and AS 332C, L, L1, and L2 helicopters. The DGAC advises that fatigue cracking in spider, part number (P/N) 332A330039.20 or .21, for Model AS 332 helicopters, and P/N 332A330039.20 or .21, or P/N 330A330104.20 or .21 for Model SA 330 helicopters, could result in failure of the spider arm, loss of control of the tail rotor blade and subsequent loss of control of the helicopter.

Eurocopter France has issued Eurocopter France SA 330 Service Bulletin (SB) No. 01.52 R1, Revision No. 1, and Eurocopter France AS 332 SB No.

01.00.43, Revision No. 1, both dated February 14, 1996, which specify a daily check of the root of the spider arm for cracks, and specify detailed inspections of the entire spider arm for cracks or fretting corrosion within 250 hours time-in-service (TIS). The DGAC classified these service bulletins as mandatory and issued AD 95-262-056(B)R1 for the Model AS 332 helicopters, and AD 95-263-073(B)R1 for the Model SA 330 helicopters, both dated April 10, 1996, in order to assure the continued airworthiness of these helicopters in France.

These helicopter models are manufactured in France and are 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, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of these type designs 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 Eurocopter France Model SA 330F, G, and J, and AS 332C, L, L1, and L2 helicopters of the same type design registered in the United States, this AD is being issued to prevent failure of the spider arm, loss of control of the tail rotor blade, and subsequent loss of control of the helicopter. This AD requires a daily inspection, prior to the first flight of the day, of the root of each spider arm for cracks, and requires a detailed inspection of the entire spider arm for cracks and fretting corrosion within 250 hours TIS. A terminating action is provided in the AD by installing an airworthy modified spider, an airworthy replacement spider, or an airworthy repaired spider. The actions are required to be accomplished in accordance with the service bulletins described previously. This AD differs from the DGAC AD's in the required inspection schedule and in the type of inspection that is required. The DGAC AD's require inspections after the last flight of each day. The FAA considers that the most critical time to perform the inspections would be before the first flight of each day and has worded this AD as such. Also, the DGAC AD's require a visual inspection and, if it cannot be determined whether a crack is present, a subsequent dye-penetrant inspection; this AD requires a dye-

penetrant inspection and doesn't allow the option of an initial visual inspection.

None of the Model SA 330 or AS 332 helicopters affected by this action are on the U.S. Register. All helicopters included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject helicopters are imported and placed on the U.S. Register in the future.

Should an affected helicopter be imported and placed on the U.S. Register in the future, it would require approximately 4.0 work hours to accomplish the required inspections, and 1.5 work hours to replace a spider arm at an average labor charge of \$60 per work hour. Required parts would cost \$100 each. Based on these figures, the cost impact of this AD to inspect and replace all 5 spider arms would be \$1,190 per helicopter.

Since this AD action does not effect any helicopter that is currently on the U.S. Register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

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. 97-SW-27-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 notice and prior public comment are unnecessary in promulgating this regulation and therefore, it can be issued immediately to correct an unsafe condition in aircraft since none of these model helicopters are registered in the United States, 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, 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:

AD 98-08-13 Eurocopter France:

Amendment 39-10462. Docket No. 97-SW-27-AD.

Applicability: Model SA 330F, G, and J helicopters with tail rotor head pitch change spider arm (spider arm), part number (P/N) 330A330104.20 or .21, or 332A330039.20 or .21, installed and Model AS 332C, L, L1, and L2 helicopters with spider arm, P/N 332A330039.20 or .21 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 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 (e) 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 as indicated, unless accomplished previously.

To prevent failure of a spider arm, loss of control of the tail rotor blade, and subsequent loss of control of the helicopter, accomplish paragraphs (a) through (d) in accordance with the specified paragraphs of Eurocopter France Service Bulletin No. 01.52 R1, Revision No. 1, for Model SA 330 helicopters, or Eurocopter France AS 332 Service Bulletin No. 01.00.43, Revision No. 1, for Model AS 332 helicopters, both dated February 14, 1996:

(a) Prior to the first flight of each day, inspect the root of each of the spider arms for cracks in accordance with paragraph 1.C.1) of the applicable service bulletin.

(b) Within 250 hours time-in-service (TIS), or prior to the installation of a replacement spider arm, whichever occurs earlier, disassemble the tail rotor head and inspect each spider arm for cracks and fretting corrosion in accordance with Paragraph 2.B of the Accomplishment Instructions of the applicable service bulletin. The inspections in paragraph (a) of this AD are no longer required after accomplishment of the inspection specified in this paragraph.

(c) If any crack is found, replace the spider arm with an airworthy spider arm in accordance with Paragraph 2.B.1)b)1) of the Accomplishment Instructions of the applicable service bulletin. Replacement of a cracked spider arm with an airworthy spider arm constitutes terminating action for the requirements of this AD.

Note 2: Care should be taken to ensure that Revision 1 of the referenced service bulletins is used to set the shim thickness when attaching the spider arm upon reassembly. Operators who have complied with the initial release of the referenced service bulletins and not with Revision 1 of the service bulletins will not be in compliance with this AD.

(d) If fretting corrosion is found as a result of the inspection in paragraph (b) of this AD, either repair the fretting corrosion in accordance with paragraph 2.B.1)b)2) of the Accomplishment Instructions of the applicable service bulletin; or, if the fretting corrosion is not repairable in accordance with the applicable service bulletin, replace the spider arm with an airworthy spider arm in accordance with paragraph 2.B of the Accomplishment Instructions of the applicable service bulletin. Repair of fretting corrosion in accordance with this paragraph or replacement of the spider arm with an airworthy spider arm in accordance with the applicable service bulletin constitutes terminating action for the requirements of this AD.

(e) Installation of a spider that has been modified in accordance with MOD 330A07-66131 (for Model SA 330F, G, and J helicopters), or AMS 332A07-66151 (for Model AS 332C, L, L1, and L2 helicopters) constitutes a terminating action for the requirements of this AD.

(f) 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, Rotorcraft Standards Staff, 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, Rotorcraft Standards Staff.

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

(g) 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.

(h) The inspections and replacements shall be done in accordance with Eurocopter France SA 330 Service Bulletin (SB) No. 01.52 R1, Revision No. 1, for Model SA 330 helicopters, or Eurocopter France AS 330 SB No. 01.00.43, Revision No. 1, for Model AS 332 helicopters, both dated February 14, 1996. 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.

(i) This amendment becomes effective on April 27, 1998.

Note 4: The subject of this AD is addressed in Direction Generale De L'Aviation Civile

(France) AD 95-262-056(B)R1 for the model AS 332 helicopters, and AD 95-263-073(B)R1 for the Model SA 330 helicopters, both dated April 10, 1996.

Issued in Fort Worth, Texas, on April 3, 1998.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 98-9477 Filed 4-9-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-SW-21-AD; Amendment 39-10463; AD 98-08-14]

RIN 2120-AA64

Airworthiness Directives; Eurocopter France Model SA 365N, N1 and AS 365N2 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) applicable to Eurocopter France (Eurocopter) Model SA-365N, N1 and AS-365N2 helicopters that requires inspections of the main gearbox suspension diagonal cross-member (diagonal cross-member) for cracks, and removal of the diagonal cross-member and replacement with an airworthy diagonal cross-member if any crack is found. This amendment is prompted by several reports of the discovery of cracks in diagonal cross-members. The actions specified by this AD are intended to prevent failure of the diagonal cross-member which could cause the main gearbox to pivot, resulting in severe vibrations and a subsequent forced landing.

EFFECTIVE DATE: May 15, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Mike Mathias, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5123, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to Eurocopter Model SA-365N, N1 and AS-365N2 helicopters was published in the **Federal Register** on December 9, 1997 (62 FR 64785). That action proposed to require inspections of the diagonal cross-member for cracks, and to remove