

(e) 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 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, Rotorcraft Certification Office.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Certification Office.

(f) 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.

(g) The replacing of the control tube assembly and the reworking of the forward fairing assembly shall be done in accordance with Bell Helicopter Textron Alert Service Bulletin No. 430-98-6, dated June 12, 1998. 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 JON1LO, telephone (800) 463-3036, fax (514) 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.

(h) This amendment becomes effective on February 3, 1999, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 98-24-31, issued November 19, 1998, which contained the requirements of this amendment.

**Note 3:** The subject of this AD is addressed in Transport Canada (Canada) AD CF-98-29, dated August 31, 1998.

Issued in Fort Worth, Texas, on January 7, 1999.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 99-909 Filed 1-15-99; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 98-SW-13-AD; Amendment 39-11002; AD 98-26-06]

#### Airworthiness Directives; Schweizer Aircraft Corporation Model 269D 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) 98-26-06 which was sent previously to all known U.S. owners and operators of Schweizer Aircraft Corporation (Schweizer) Model 269D helicopters by individual letters. This AD requires removing the main rotor drive shaft (shaft) and inspecting it for cracks. If a crack is found, replacing the shaft with an airworthy shaft is required. This AD also requires periodically verifying the torque of the main rotor hub (hub) bolts. This amendment is prompted by four reports of cracking in the shaft of helicopters with a large diameter hub. Wear patterns indicate cracking was caused by loss of clamping torque on the hub and shaft assembly due to the use of grease between the hub and shaft. This condition, if not corrected, could result in failure of the shaft and subsequent loss of control of the helicopter.

**DATES:** Effective February 3, 1999, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 98-26-06, issued on December 9, 1998, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before March 22, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-13-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:** Raymond H. Reinhardt, Aerospace Engineer, Airframe and Propulsion Branch, ANE-171, FAA, New York Aircraft Certification Office, 10 Fifth St., Valley Stream, NY, telephone (516) 256-7532, fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** On December 9, 1998, the FAA issued Priority Letter AD 98-26-06, applicable to Schweizer Model 269D helicopters, which requires removing the shaft and inspecting it for cracks. If a crack is found, replacing the shaft with an airworthy shaft is required. That AD also requires periodically verifying the torque of the hub bolts. That action was prompted by four reports of cracking in the shaft of helicopters with a large diameter hub. Wear patterns indicate cracking was caused by loss of clamping torque on the hub and shaft assembly due to the use of grease between the hub and shaft. A pilot reported excessive vibration in one incident. An inspection following that incident revealed a 2.5-inch horizontal crack in the shaft. The

crack started from one of the three lower bolt holes, propagated to an adjacent bolt hole, and then propagated from the second bolt hole in a downward direction. This condition, if not corrected, could result in failure of the shaft and subsequent loss of control of the helicopter.

Since the unsafe condition described is likely to exist or develop on other Schweizer Model 269D helicopters of the same type design, the FAA issued Priority Letter AD 98-26-06 to prevent failure of the shaft and subsequent loss of control of the helicopter. The AD requires, prior to 200 hours time-in-service (TIS), and thereafter at intervals not to exceed 100 hours TIS, inspecting the shaft for cracks in the area of the six hub attach bolts using a 10-power or higher magnifying glass and bright light. If no crack is found as a result of the visual inspection, the AD requires inspecting the shaft using a magnetic particle inspection method. If a crack is found, the AD requires replacing the shaft with an airworthy shaft. The AD also requires periodically verifying the torque of the hub bolts. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the helicopter. Therefore, the inspections and replacement, if necessary, are required prior to further flight, and this AD must be issued immediately.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual letters issued on December 9, 1998, to all known U.S. owners and operators of Schweizer Model 269D helicopters. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective to all persons.

The FAA estimates that 6 helicopters of U.S. registry will be affected by this AD, that it will take approximately 2 work hours for the periodic inspections and 22 work hours to replace the shaft, if necessary, per helicopter, and the average labor rate is \$60 per work hour. Required parts will cost approximately \$12,000 per replacement shaft. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$80,640 to replace the shafts in all the helicopters, and \$7,200 a year for 10 inspections per year on each helicopter.

## 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. 98-SW-13-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 this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, 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, 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:

**98-26-06 Schweizer Aircraft Corporation:**  
Amendment 39-11002. Docket No. 98-SW-13-AD.

**Applicability:** Model 269D helicopters with a large diameter main rotor hub (hub), part number (P/N) 269A1002-11, and main rotor drive shaft (shaft), P/N 269A5305-139, -143, -145, or -147, 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 (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 as indicated, unless accomplished previously.

To prevent failure of the shaft and subsequent loss of control of the helicopter, accomplish the following:

(a) Prior to 200 hours time-in-service (TIS) since the assembly of the hub and a shaft having zero hours TIS, and thereafter at intervals not to exceed 100 hours TIS,

(1) Remove the shaft from the power train system.

(2) Clean and inspect the shaft for a crack in the area of the six hub attach bolt (bolt) holes using a 10-power or higher magnifying glass and bright light.

(3) If no crack is found, inspect the shaft using a direct or indirect magnetic particle inspection method in accordance with ASTM Standard No. E1444 as follows:

(i) For direct magnetization, use an AC, DC, or AC/DC wet continuous method with fluorescent or nonfluorescent particles.

(A) Circular (Head Shot)—1,100 amperes  
Look for a longitudinal crack.

(B) Longitudinal (Coil Shot)—Because of variations in coil design, only the length-to-diameter ratio based on effective diameter and inspection region is provided.

Effective diameter—1.279 inches,  
Length—6.00 inches,  
L/D Ratio—5.

Look for a circumferential crack.

(C) Demagnetize and clean the inspection areas with solvent to remove residual particles.

(ii) For indirect magnetization, use an AC electromagnetic yoke (Magnaflux product No. Y-6 or equivalent). Set the spacing and the angle to suit the external diameter of the shaft.

(A) Magnetize each of the six hole areas by applying the AC electromagnetic yoke (yoke) circumferentially across the hole.

(B) During each magnetization, apply dry color contrasting particles to the inspection area and look for a circumferential crack propagating from any hole.

(C) Demagnetize and repeat the inspections with the poles of the yoke positioned longitudinally across each hole group looking for a circumferential crack.

(D) Demagnetize and clean the inspection areas with solvent to remove residual particles.

(iii) If no crack is found as a result of the magnetic particle inspection, reassemble the hub and shaft.

**Note 2:** Procedures in Model 269D Handbook of Maintenance Instructions (HMI) revised on June 12, 1998, include installing a three-piece retention fitting, applying a higher torque to each bolt, assembling with no lubricant, and applying zinc chromate primer between the hub and the shaft.

(4) If a crack is found, replace the shaft with an airworthy shaft.

(b) At intervals not to exceed 50 hours TIS after accomplishing paragraph (a),

(1) Unsafety and clean the exterior of the bolts.

(2) Unsafety and loosen the droop stop nut.

(3) Apply 390 in-lbs of torque to each of the six bolts. If any bolt rotates, accomplish the requirements of paragraph (a).

(4) Apply 390 to 410 in-lbs of torque to each of the six bolts and resafety.

(5) Torque and safety the droop stop nut.

(6) Seal the exterior of the bolts and washers with a corrosion preventative compound.

(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 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, New York Aircraft Certification Office.

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

(e) This amendment becomes effective on February 3, 1999, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 98-26-06, issued December 9, 1998, which contained the requirements of this amendment.

Issued in Fort Worth, Texas, on January 8, 1999.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 99-1064 Filed 1-15-99; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 98-ACE-55]

#### Amendment to Class E Airspace; Des Moines, IA

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends Class E airspace area at Des Moines International Airport, Des Moines, IA. A review of the Class E airspace area for Des Moines International Airport indicates it does not comply with the criteria for 700 feet Above Ground Level (AGL) airspace required for diverse departures as specified in FAA Order 7400.2D. The Airport Reference Point (ARP) coordinates are revised, and the Instrument Landing System (ILS) and coordinates have been added to the airspace designation for Des Moines, IA. The Class E airspace has been enlarged to conform to the criteria of FAA Order 7400.2D. The intended effect of this rule is to provide additional controlled Class E airspace for aircraft operating under Instrument Flight Rules (IFR), revise the ARP, add the ILS and coordinates, and comply with the criteria of FAA Order 7400.2D.

**DATES:** Effective date: 0901 UTC, May 20, 1999.

Comments for inclusion in the Rules Docket must be received on or before March 10, 1999.

**ADDRESSES:** Send comments regarding the rule in triplicate to: Manager, Airspace Branch, Air Traffic Division, ACE-520, Federal Aviation Administration, Docket Number 98-ACE-55, 601 East 12th Street, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

**FOR FURTHER INFORMATION CONTACT:**

Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106; telephone: (816) 426-3408.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR 71 revises the Class E airspace at Des Moines, IA. A review of the Class E airspace for Des Moines International Airport indicates it does not meet the criteria for 700 feet AGL airspace required for diverse departures as specified in FAA Order 7400.2D. The criteria in FAA Order 7400.2D for an aircraft to reach 1200 feet AGL is based on a standard climb gradient of 200 feet per mile plus the distance from the ARP to the end of the outermost runway. Any fractional part of a mile is converted to the next higher tenth of a mile. The amendment at Des Moines International Airport, IA, will provide additional controlled airspace for aircraft operating under IFR, revise the ARP, add the ILS and coordinates, and comply with the criteria of FAA Order 7400.2D. The area will be depicted on appropriate aeronautical charts. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. The amendment will enhance safety for all

flight operations by designating an area where VFR pilots may anticipate the presence of IFR aircraft at lower altitudes, especially during inclement weather conditions. A greater degree of safety is achieved by depicting the area on aeronautical charts. Unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, 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 or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related 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 action 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