

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation

#### 7 CFR Part 1477

RIN: 0560-AF75

#### 1998 Single-Year and Multi-Year Crop Loss Disaster Assistance Program; Correction

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule; correction.

**SUMMARY:** This document contains a correction to the final rule published in the **Federal Register** on Thursday, April 15, 1999, regarding the terms and conditions of the 1998 Single-Year and Multi-Year Crop Loss Disaster Assistance Program. This document corrects the number of the section entitled "Matters of general applicability" in 7 CFR part 1477, which was incorrectly numbered as § 1477.10.

**DATES:** This correction is effective on July 1, 1999.

**FOR FURTHER INFORMATION CONTACT:** Diane Sharp, Director, Compliance and Production Adjustment Division, Farm Service Agency, United States Department of Agriculture, STOP 0517, 1400 Independence Ave. SW, Washington, DC 20013-2415.

#### SUPPLEMENTARY INFORMATION:

##### Correction of Publication

Accordingly, in the final rule (FR Doc. 99-9350) published April 15, 1999, (64 FR 18553) make the following correction:

On page 18559, in the first column, the section number "§ 1477.10" for the section entitled "Matters of general applicability" is corrected to read "§ 1477.110".

Signed at Washington, DC, on 25 June 1999.

**Keith Kelly,**

*Executive Vice President, Commodity Credit Corporation.*

[FR Doc. 99-16776 Filed 6-30-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-SW-38-AD; Amendment 39-11217; AD 99-12-01]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter Deutschland (Eurocopter) Model EC135 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) 99-12-01, which was sent previously to all known U.S. owners and operators of Eurocopter Model EC135 helicopters by individual letters. This AD requires initial and repetitive visual inspections and one dye-penetrant inspection of the main rotor hub shaft (shaft) for cracks. If a crack is found during any of the inspections, this AD requires replacing the shaft with an airworthy shaft before further flight. This amendment is prompted by the discovery of fatigue cracks on the shaft of a helicopter. The actions specified by this AD are intended to detect fatigue cracks in the shaft that could lead to shaft failure and subsequent loss of control of the helicopter.

**DATES:** Effective July 16, 1999, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 99-12-01, issued on May 27, 1999, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before August 30, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99-SW-38-

AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

#### FOR FURTHER INFORMATION CONTACT:

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:** On May 27, 1999, the FAA issued Priority Letter AD 99-12-01, applicable to Eurocopter Model EC135 helicopters, which requires initial and repetitive visual inspections and one dye-penetrant inspection of the shaft for cracks. If a crack is found during any of the inspections, the AD requires replacing the shaft with an airworthy shaft before further flight. That action was prompted by the discovery of fatigue cracks on the shaft of a helicopter. This condition, if not corrected, could result in failure of the shaft and subsequent loss of control of the helicopter.

Eurocopter has issued Eurocopter EC135 Alert Service Bulletin (ASB) EC 135-62A-004, dated May 5, 1999, which specifies inspecting the shaft for cracks. The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for the Federal Republic of Germany, classified this service bulletin as mandatory and issued AD 1999-185, dated May 6, 1999, to assure the continued airworthiness of these helicopters in the Federal Republic of Germany. Eurocopter later issued ASB EC135-62A-004, Rev. 1, dated May 7, 1999.

Since the unsafe condition described is likely to exist or develop on other Eurocopter Model EC135 helicopters of the same type design, the FAA issued Priority Letter AD 99-12-01 to detect fatigue cracks in the shaft that could lead to shaft failure and subsequent loss of control of the helicopter. The AD requires initial and repetitive visual inspections and one dye-penetrant inspection of the shaft for cracks. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the structural integrity of the helicopter. Therefore, inspecting the shaft for cracks is required before 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 May 27, 1999, to all known U.S. owners and operators of Eurocopter Model EC135 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 10 helicopters will be affected by this AD; that it will take approximately 0.5 work hour per helicopter to perform the visual inspections, 1 work hour per helicopter to perform the dye-penetrant inspection, 10 work hours to replace the shaft, if necessary; and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$25,000 per shaft. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$55,900 per year, assuming the initial inspection, one dye-penetrant inspection, and 100 visual inspections per year on each helicopter, and one shaft replacement in the fleet.

#### 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. 99-SW-38-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 and 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

#### AD 99-12-01 Eurocopter Deutschland GmbH: Amendment 39-11217. Docket No. 99-SW-38-AD.

**Applicability:** Model EC135 helicopter with main rotor hub shaft (shaft), part number (P/N) L623M100S 101, 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 (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 a fatigue crack in the shaft that could lead to shaft failure and subsequent loss of control of the helicopter, accomplish the following:

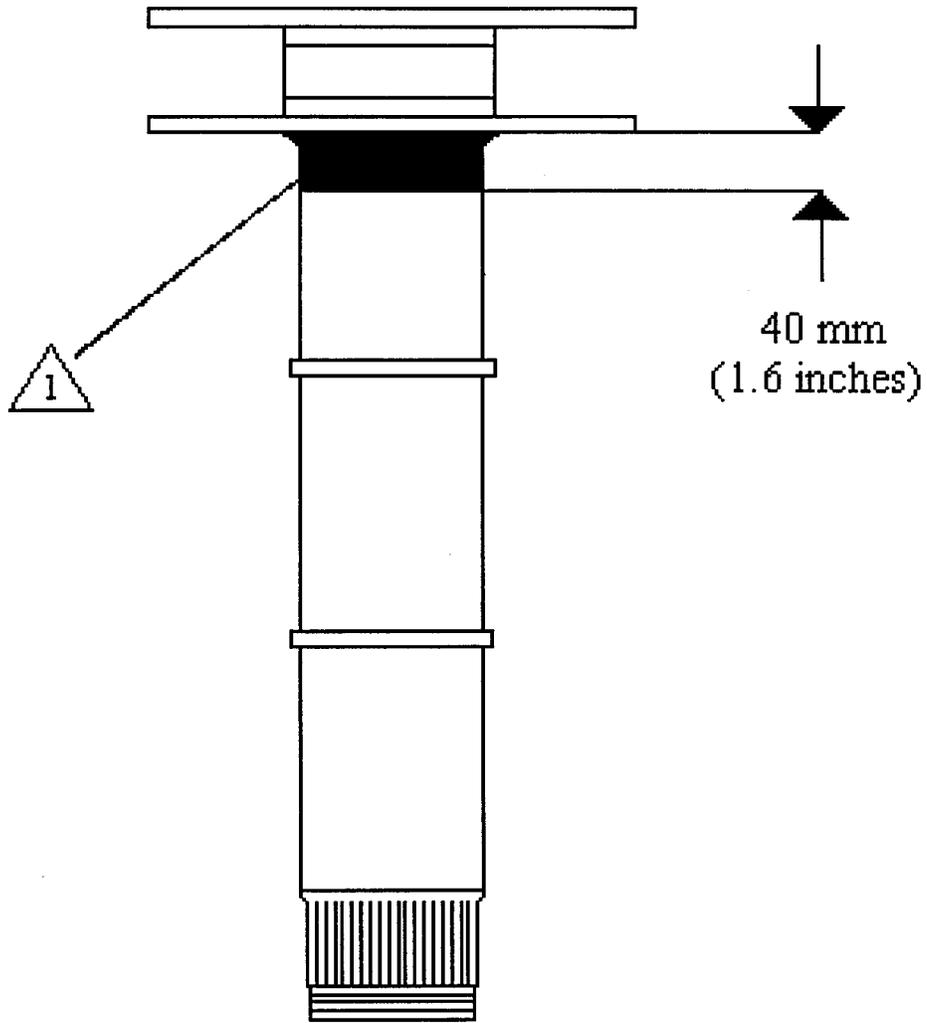
(a) Before further flight, and thereafter, at intervals not to exceed 15 hours time-in-service (TIS), visually inspect the shaft, P/N L623M100S 101, for any crack in the area marked in Figure 1. Clean the shaft before using a bright light source to inspect for cracks. If any crack is found, replace the shaft with an airworthy shaft before further flight.

(b) Within 10 hours TIS, conduct a one-time dye-penetrant inspection of the shaft using the MIL-STD-6866 or ASTM-E-1417 procedure in the area shown in Figure 1. If any crack is found, replace the shaft with an airworthy shaft before further flight.

**Note 2:** Eurocopter EC 135 Alert Service Bulletin EC 135-62A-004, Rev. 1, dated May 7, 1999, pertains to the subject of this AD.

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△ 1 Inspect marked area in accordance with inspection procedure prescribed.



Crack Inspection on Main Rotor Hub Shaft

Figure 1

(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, Rotorcraft Standards Staff, FAA, Rotorcraft Directorate. 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.

(d) Special flight permits will not be issued.

(e) This amendment becomes effective on July 16, 1999, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 99-12-01, issued May 27, 1999, which contained the requirements of this amendment.

**Note 4:** The subject of this AD is addressed in Luftfahrt-Bundesamt (Federal Republic of Germany) AD 1999-185, dated May 6, 1999.

Issued in Fort Worth, Texas, on June 23, 1999.

**Henry A. Armstrong,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 99-16591 Filed 6-30-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 29616; Amdt. No. 1937]

#### Standard Instrument Approach Procedures; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference-approved by the Director of the Federal Register

on December 31, 1980, and reapproved as of January 1, 1982.

**ADDRESSES:** Availability of matters incorporated by reference in the amendment is as follows:

#### *For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Area Office which originated the SIAP.

#### *For Purchase—*

Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

#### *By Subscription—*

Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

#### **FOR FURTHER INFORMATION CONTACT:**

Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK. 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK. 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspend, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4, and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further,

airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by references are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types of and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

#### **The Rule**

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (NFDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

#### **Conclusion**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial