preceding year. This section also requires a competency check in the class of aircraft the pilot commands within the preceding year. A very real and pressing concern for the aero-lodge operators arises when a lodge operator feels it is necessary to discharge his current pilot. If this happens, it would be a virtual impossibility to get a new pilot in quickly if they had to have an authorized check ride and pass a written or oral test.

The FAA has recognized the difficulty in finding authorized check airmen in the remote parts of Alaska. Although an operator may be able to locate a qualified pilot, he would be prohibited from hiring him because of the large potential of being unable to find an authorized check airman, ground school for certification and hazardous materials certification. With the extremely short season, even a couple of days without a pilot could spell economic disaster for a guide or lodge operator.

5. 14 C.F.R. 135.299 requires route checks for Part 135 pilots.

This section requires an approved check pilot give a flight check to all Part 135 pilots within the preceding year. Importantly, this section requires the check ride consist of at least one flight over one route segment. Aero-lodge pilots do not fly standardized routes to and from remote fishing/hunting locations. The hunting/fishing destinations can change daily to reflect migrations or runs and cannot be standardized. As such, there are no routes per se that could be checked. Because the routes often change daily, a check flight along one segment of a route does not necessarily improve safety.

In addition, the areas where the aero-lodge pilots fly are remote and difficult to access by FAA approved check pilots. Many hunting and fishing camps are literally a day's flight out of Anchorage. It would be disastrous for an aero-lodge operator to have to shut down his camp while he awaited the approved check pilot to arrive from Anchorage or Fairbanks and then fly a sample route (that could change daily) with the aero-lodge pilot.

The annual flight review recommended by APHA would address many of the same safety issues addressed in 14 C.F.R. 135.299, the safety briefings and new equipment updates. However, the route checks would not be necessary in an annual flight review, thus, eliminating the problems found in this section.

C. Conclusion

As stated before, providing safe recreational opportunities is one of the primary goals of APHA. The APHA recognizes and supports regulation of air travel in Alaska. However, regulation that is unnecessary and detrimental to small businesses is not needed. The determination of what regulations best fit the unique situation in Alaska must be determined through informal consultation and ultimately rulemaking.

For these reasons, the APHA looks forward to working with you and the Alaska Congressional Delegation to find a strong solution—one that promotes safety, allows businesses to continue to operate efficiently, and does not saddle Alaskan aero-lodge pilots with unnecessary regulations.

The APHA stands ready to assist you in this rulemaking.

Sincerely,

William P Horn,

Birch, Horton, Bittner and Cherot.

[FR Doc. 98–9075 Filed 4–6–98; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–SW–07–AD]

Airworthiness Directives; Eurocopter France Model AS 332C, L, L1, and L2 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 Eurocopter France Model AS 332C, L, L1, and L2 helicopters. This proposal would require visually inspecting the intermediate gearbox-to-structure attachment stirrup (stirrup) front tabs for cracks, and if a crack is discovered, removing the intermediate gearbox and replacing it with an airworthy intermediate gearbox; and inspecting for the conformity of the attachment parts. This proposal is prompted by five reports of failure of the two stirrup tabs. The actions specified by the proposed AD are intended to prevent failure of the intermediate gearbox stirrup front tabs, loss of anti-torque drive, and subsequent loss of control of the helicopter.

DATES: Comments must be received on or before May 7, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98–SW–07–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 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.

FOR FURTHER INFORMATION CONTACT: Mr. Scott Horn, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5125, fax (817) 222–5961.

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. 98–SW–07–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 Regional Counsel, Southwest Region, Attention: Rules Docket No. 98–SW–07–AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

Discussion

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 AS 332C, L, L1, and L2 helicopters with intermediate gearboxes, part number 332A35–0002 all dash numbers, 332A35–0010 all dash numbers, and 332A35–0011–01, that have not been modified in accordance with MOD 0761049 or MOD 0761050. The DGAC advises that cracks have

been discovered on the stirrup, and mandates visually inspecting the stirrup front tabs for cracks. If a crack is discovered, the DGAC mandates removing the intermediate gearbox and replacing it with an airworthy intermediate gearbox; and inspecting for the conformity of the attachment parts.

Eurocopter France has issued Eurocopter France AS 332 Service Bulletin No. 01.00.47 Revision No. 1, dated September 10, 1997. The DGAC classified this service bulletin as mandatory and issued AD 96–263–060(AB)R1 for Model AS 332C, L, and L1 helicopters, and AD 96–262–004(AB)R1 for Model AS 332L2 helicopters, both dated November 5, 1997, in order to assure the continued airworthiness of these helicopters in France.

This helicopter model is manufactured in France and is 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 this type design 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 AS 332C, L, L1, and L2 helicopters of the same type design registered in the United States, the proposed AD would require visually inspecting the stirrup front tabs for cracks, and if a crack is discovered, removing the intermediate gearbox and replacing it with an airworthy intermediate gearbox; and inspecting for the conformity of the attachment parts. The actions would be required to be accomplished in accordance with the service bulletin described previously.

The FAA estimates that 4 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 0.25 work hours to inspect the tabs, and 3 work hours to inspect for conformity, and that the average labor rate is $60 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $780.

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:

Eurocopter France: Docket No. 98–SW–07–AD.

Applicability: Model AS 332C, L, L1, and L2 helicopters, with intermediate gearboxes (IGB), part numbers (P/N) 332A35–0002 all dash numbers, 332A35–0010 all dash numbers, and 332A35–0011–01, installed, except those IGBs modified in accordance with MOD 0761049 or MOD 0761050, 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 IGB-to-structure attachment stirrup (stirrup) front tabs, loss of anti-torque drive, and subsequent loss of control of the helicopter, accomplish the following:

(a) Before the first flight of each day, perform a visual inspection of the stirrup front tabs for cracks in accordance with paragraph 2.B1) of the Accomplishment Instructions in Eurocopter France AS 332 Service Bulletin 01.00.47, Revision No. 1, dated September 10, 1997 (SB). If a crack is found, remove the IGB and replace it with an airworthy IGB before further flight. Completion of the conformity procedure contained in paragraph 2.B.2.1.3) of the SB is terminating action for the requirement of this AD to inspect for cracks prior to the first flight of each day.

(b) Within 100 hours time-in-service (TIS), inspect the two front attaching assemblies securing the stirrup of the IGB to the angle bracket of the structure (attachment assembly) for thickness of the stirrup front tabs in accordance with paragraph 2.B.2) of the SB.

(1) If the attachment assembly meets the conformity requirements of either paragraph 2.B.2.1.1) or 2.B.2.1.2) of the SB, reassemble the attachment assembly in accordance with paragraph 2.B.2.1.3) of the SB.

(2) If the attachment assembly does not meet the conformity requirements of either paragraph 2.B.2.1.1) or 2.B.2.1.2) of the SB, replace it with an attachment assembly which does meet the conformity requirements of either of those paragraphs. Install the attachment assembly hardware in accordance with 2.B.2.1.3) of the SB.

(3) If a crack is discovered in the stirrup front tabs as a result of the conformity inspection, remove the IGB and replace it with an airworthy IGB before further flight.

(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, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff. 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 2: 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 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.

Note 3: The subject of this AD is addressed in Direction Generale De L'Aviation Civile

(France) AD 96–263–060(AB)R1 for Eurocopter France (ECF) Model AS 332C, L, and L1 helicopters, and AD 96–262–004(AB)R1 for ECF Model AS 332L2 helicopters, both dated November 5, 1997.

Issued in Fort Worth, Texas, on March 30, 1998.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 98–8989 Filed 4–6–98; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

[Docket No. S–022]

RIN 1218–AB55

Dipping And Coating Operations (Dip Tanks)

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Proposed rule.

SUMMARY: OSHA's rules for dipping and coating operations are designed to protect employees from the fire, explosion, and other hazards associated with these operations. OSHA is proposing to revise these rules, which are codified at §§ 1910.108 and 1910.94(d) of part 1910. This revision will achieve three purposes: it will rewrite these rules in plain language, consolidate them in several new sequential sections in subpart H of part 1910, and update them to increase the compliance options available to employers. OSHA believes that the proposed revisions will enhance employee protection by making the sections more understandable to employers and employees and providing additional compliance flexibility to employers. These revisions will not increase the burden imposed on employers by the rules. When the rulemaking is completed, OSHA will codify the revisions as § 1910.121 through 1910.125.

OSHA is presenting two alternative versions of the proposed plain language sections. The first version is organized in the traditional OSHA regulatory format, while the second version uses a question-and-answer format. OSHA invites comments on the substance of the proposed changes and on the alternative formats.

DATES: Written comments and requests for a hearing on this proposal must be postmarked by June 8, 1998.

ADDRESSES: Comments and requests for hearings must be submitted in quadruplicate or one (1) original (hardcopy) and one (1) diskette (5¼- or 3½-inch) in WordPerfect 5.0, 5.1, 6.0, or 6.1, or ASCII to: Docket Office, Docket No. S–022, Room N–2625, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 219–7894. Any information not contained on the diskettes (e.g., studies, articles) must be submitted in quadruplicate with the original. Written comments of 10 pages or less may be transmitted by facsimile (fax) to the Docket Office at (202) 219–5046, provided an original and three (3) copies are sent to the Docket Office before the end of the 60-day comment period.

For an electronic copy of this **Federal Register** notice, contact the Labor News Bulletin Board at (202) 219–4748, or access OSHA's web page on the Internet at http://www.OSHA.gov. For news releases, fact sheets, and other short documents, contact the OSHA fax number at (900) 555–3400; the cost is $1.50 per minute.

FOR FURTHER INFORMATION CONTACT: Technical inquiries should be directed to Mr. Terence Smith, Office of Fire Protection Engineering and System Safety Standards, Room N-3609, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210; telephone: (202) 219–7216; fax: (202) 219–7477.

Requests for interviews and other press inquiries should be directed to Ms. Bonnie Friedman, Office of Information and Consumer Affairs, Room N–3647, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 219–8148.

SUPPLEMENTARY INFORMATION:

I. Background

In 1971, OSHA used section 6(a) of the Occupational Safety and Health Act of 1970 (''the Act'') (29 U.S.C. 655(a)) to adopt hundreds of national consensus standards and established Federal standards as occupational safety and health standards. Over the ensuing 27 years, OSHA became aware that some of these standards are wordy, difficult to understand, repetitive, and internally inconsistent. OSHA has also received a number of complaints that these standards were rigid and difficult to follow.

In May 1995, President Clinton asked all Federal regulatory agencies to review their regulations to determine if the regulations were inconsistent, duplicative, outdated, or in need of being rewritten in plain language. In response, OSHA conducted a line-by-line review of its standards, and committed the Agency to eliminating those standards found to be unnecessary, duplicative, and/or inconsistent and to rewriting those standards found to be complex and outdated.

In revising its rules on dipping and coating operations, OSHA's primary goal is to make them more understandable to the regulated community. The proposed revisions involve reorganizing the text, removing internally inconsistent provisions, eliminating duplicative requirements, and simplifying the overly technical language and requirements of the existing dip tank requirements, which are codified at §§ 1910.108 and 1910.94(d). OSHA also is proposing to update the current standards by revising several provisions of these standards to conform to National Fire Protection Association (NFPA) standard 34–1995; the updated requirements would replace existing provisions that were drawn from the 1966 version of the NFPA standard. For each of these proposed revisions, OSHA explains why it believes the updated requirements would provide equivalent protection to employees with no additional regulatory burden to employers.

In making these revisions, OSHA has rewritten the requirements in simple, straightforward, easy-to-understand terms. The proposed sections are performance-oriented and shorter than the existing standards. The number of subparagraphs and cross-references to other OSHA standards or to national consensus standards has been reduced. Both of the plain language versions of the proposed sections include a detailed table of contents that is intended to make the subsequent sections easier to use.

Both of the proposed plain language revisions would leave unchanged the regulatory obligations placed on employers and the safety and health protections provided to employees. OSHA believes, moreover, that the performance-oriented language of the proposed sections would facilitate compliance because it would make more compliance options available to employers than is the case with the current standards.

The proposed rules would not require employers to make technological changes and, therefore, would not impose increased costs on employers. In fact, the proposed sections may decrease