Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed 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 removing Airworthiness Directive (AD) 96–12–03 R1, Amendment 39–10109 (62 FR 44535, August 22, 1997), and by adding a new AD to read as follows:

Aviat Aircraft, Inc.: Docket No. 96–CE–23–AD; Revises AD 96–12–03 R1, Amendment 39–10109.

Applicability: The following airplane models and serial numbers, certificated in any category, that are equipped with aft lower fuselage wing attach fittings incorporating part number (P/N) 76090, P/N 2–2107–1, or P/N 1–210–102, and where these aft lower fuselage wing attach fittings on both wings have not been modified in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of one of the following service bulletins (SB):

Service Bulletins

—Aviat SB No. 25, dated April 3, 1996, Revised November 12, 1996, Revised November 11, 1997;
—Aviat SB No. 25, dated April 3, 1996, Revised November 12, 1996; or
—Aviat SB No. 25, dated April 3, 1996.

Airplanes Affected

—Models S–1S, S–1T, S–2, S–2A, and S–2S airplanes, all serial numbers.
—Model S–2B airplanes, serial numbers 5000 through 5336.

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 (e) 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 in the body of this AD.

To prevent possible in-flight separation of the wing from the airplane caused by a cracked aft lower fuselage wing attach fitting, accomplish the following:

(a) Within 50 hours time-in-service (TIS) after October 3, 1997 (the effective date of AD 96–12–03 R1), unless already accomplished (compliance with either AD 96–12–03 R1 or AD 96–12–03), and thereafter at intervals not to exceed 50 hours TIS, inspect the aft lower fuselage wing attach fitting on both wings for cracks. Accomplish these inspections in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of one of the following SB's:

(1) Aviat SB No. 25, dated April 3, 1996, Revised November 12, 1996, Revised November 11, 1997;

(2) Aviat SB No. 25, dated April 3, 1996, Revised November 12, 1996; or

(3) Aviat SB No. 25, dated April 3, 1996.

(b) If any cracked aft lower fuselage wing attach fitting is found during any inspection required by this AD, prior to further flight, modify the cracked aft lower fuselage wing attach fitting in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of one of the SB's referenced in paragraphs (a)(1), (a)(2), and (a)(3) of this AD. Repetitive inspections are no longer necessary on an aft lower fuselage wing attachment fitting that was found cracked and has the referenced modification incorporated.

(c) Modifying the aft lower fuselage wing attach fitting on both wings in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of one of the SB's referenced in paragraphs (a)(1), (a)(2), and (a)(3) of this AD is considered terminating action for the repetitive inspection requirement of this AD.

(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) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Denver Aircraft Certification Office, 26805 E. 68th Avenue, Room 214, Denver, Colorado 80249.

(1) The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Denver ACO.

(2) Alternative methods of compliance approved in accordance with AD 96–12–03 R1 or AD 96–12–03 are considered approved for this AD.

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

(f) All persons affected by this directive may obtain copies of the document referred to herein upon request to Aviat Aircraft, Inc., P.O. Box 1240, Afton, Wyoming 83110; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(g) This amendment revises AD 96–12–03 R1, Amendment 39–10109.

Issued in Kansas City, Missouri, on May 29, 1998.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–14906 Filed 6–4–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–SW–55–AD]

Airworthiness Directives; Agusta S.p.A. Model A109C and A109K2 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 Agusta S.p.A. Model A109C and A109K2 helicopters. This proposal would require removing the main rotor pitch link assemblies, measuring the radial play of the upper and lower spherical bearings (bearings), and replacing any unairworthy bearings. This proposal is prompted by four reports of increased vibration of the helicopters caused by wear in the bearings of the main rotor pitch change link assembly. The actions specified by the proposed AD are intended to detect unairworthy bearings on the pitch change link assembly and to prevent increased vibration and subsequent reduced controllability of the helicopter.

DATES: Comments must be received on or before July 6, 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–55–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.

FOR FURTHER INFORMATION CONTACT: Mr. Shep Blackman, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft

Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5296, 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. 97–SW–55–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. 97–SW–55–AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

Discussion

The Registro Aeronautico Italiano (RAI), which is the airworthiness authority for Italy, recently notified the FAA that an unsafe condition may exist on Agusta Model A109C and A109K2 helicopters. The RAI advises that there have been instances of increased vibration in Agusta Model A109C helicopters, which necessitated an AD requiring compliance in accordance with Agusta Bollettino Technico Telegraphico No. 109–9, dated March 23, 1995.

Agusta has issued Agusta Bollettino Technico Telegraphico Nos. 109–9 and 109K–2, both dated March 23, 1995, which specify a procedure to measure the radial play of both the upper and lower spherical bearings of the main rotor pitch change link assemblies. The RAI classified these service bulletins as mandatory and issued RAI AD's 95–082 and 95–083, both dated March 28, 1995, to assure the continued airworthiness of these helicopters in Italy.

This helicopter model is manufactured in Italy 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 RAI has kept the FAA informed of the situation described above. The FAA has examined the findings of the RAI, 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 Agusta Model A109C and A109K2 helicopters of the same type design registered in the United States, the proposed AD would require inspection of the main rotor pitch link assemblies Part Number (P/N) 109–0110–71, and if the radial play of the spherical bearings exceeds 0.2 millimeters, or .008 inches, replacement of the affected bearings prior to further flight

The FAA estimates that 3 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 3 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 $1,122 for the upper bearing and $995 for the lower bearing per helicopter. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $6,891.

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:

Agusta S.p.A.: Docket No. 97–SW–55–AD.

Applicability: Model A109C and A109K2 helicopters, 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. 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 (d) 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 main rotor pitch change link spherical bearing axial play due to wear, which could result in an increase in the vibration level and reduced controllability of the helicopter, accomplish the following:

(a) Within the next 10 hours time in service (TIS) and thereafter at intervals not to exceed 100 hours TIS, remove the pitch change link assembly, part number (P/N) 109–0110–71.

(b) Measure the radial play at both the upper and lower spherical bearings. If the radial play of a bearing exceeds 0.2 millimeters, or .008 inches, replace the affected bearing with an airworthy bearing prior to further flight.

Note 2: Agusta Bollettino Technico Telegrafico No. 109–9, dated March 23, 1995, pertains to the subject of this AD.

(c) Reinstall the pitch change link assembly.

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

(e) 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 4: The subject of this AD is addressed in Registro Aeronautico Italiano (Italy) AD's 95–082 and 95–083, both dated March 28, 1995.

Issued in Fort Worth, Texas, on May 28, 1998.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 98–14912 Filed 6–4–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–SW–64–AD]

Airworthiness Directives; Eurocopter France Model AS–365N, N1, and N2 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–365N, N1, and N2 helicopters, with certain main rotor head frequency adapters (frequency adapters) installed. This proposal would require inspecting the frequency adapter to determine if a certain frequency adapter is installed, and if so, removing and replacing the frequency adapter with an airworthy frequency adapter before further flight. This proposal is prompted by a report of disbonding of the metal center section of a frequency adapter from the elastomer on a main rotor head, caused by a lack of adherence during the production process. The actions specified by the proposed AD are intended to prevent increased vibrations caused by disbonding of the center section of a frequency adapter from the elastomer and subsequent reduced controllability of the helicopter.

DATES: Comments must be received on or before July 6, 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–64–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.

FOR FURTHER INFORMATION CONTACT: Mr. Mike Mathias, Aerospace Engineer, Rotorcraft Standards Staff, Rotorcraft Directorate, FAA, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5123, 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. 97–SW–64–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. 97–SW–64–AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

Discussion

The Direction General 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–365N, N1, and N2 helicopters that have been fitted with a frequency adapter, part number (P/N) 704A33–640–031 (E1T2624–01A), or delivered in pairs under the P/N 365A31–1858–01, manufactured before April 1, 1991, with a serial number (S/N) equal to or less than 8188; or P/N 704A33–640–046 (E1T3023–01), or delivered in pairs under the P/N 365A31–1858–02, manufactured before April 1, 1991, with a S/N equal to or less than 3122. The DGAC advises that disbonding between the center metal section and the elastomer of the frequency adapter may occur.

Eurocopter France has issued Eurocopter France AS–365 Service Bulletin, No. 01.00.44, dated May 9, 1996, which specifies a visual inspection of the frequency adapter face to determine its P/N, S/N, and date of manufacture and to remove and replace certain frequency adapters with an unaffected frequency adapter. The DGAC classified this service bulletin as mandatory and issued AD 96–117–040(B), dated June 19, 1996, 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