

Done in Washington, DC, this 22nd day of October 1999.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 99-28181 Filed 10-27-99; 8:45 am]

BILLING CODE 3410-34-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-SW-07-AD; Amendment 39-11391; AD 99-22-13]

RIN 2120-AA64

Airworthiness Directives; Bell Helicopter Textron Canada (BHTC) Model 407 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to BHTC Model 407 helicopters, that requires visually inspecting the vertical fin (fin) for reduced skin thickness; repairing or replacing the fin, if necessary; and identifying fins that have been inspected or repaired. This amendment is prompted by a report of an inboard skin damaged during production. The actions specified by this AD are intended to detect fin assemblies with reduced skin thickness which, if not corrected, reduce the strength of the skin and could lead to failure of the fin and loss of control of the helicopter.

DATES: Effective December 2, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of December 2, 1999.

ADDRESSES: The service information referenced in this AD 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. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 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: Mike Kohner, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Certification Office, Fort Worth, Texas 76193-0170, telephone (817) 222-5447, fax (817) 222-5783.

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 BHTC Model 407 helicopters was published in the **Federal Register** on August 2, 1999 (64 FR 41841). That action proposed to require visually inspecting the fin for reduced skin thickness; repairing or replacing the fin, if necessary; and identifying fins that have been inspected or repaired.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 124 helicopters of U.S. registry will be affected by this AD, that it will take approximately 3.0 work hours to accomplish the visual inspection; 4.0 work hours to accomplish the vertical fin replacement, and 0.5 work hour to mark the fin, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$18,770. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$19,220 per helicopter, or a total of \$2,383,280 for the entire fleet, to accomplish all the actions including replacing the fin.

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.

For the reasons discussed above, I certify that this action (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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it 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 99-22-13 Bell Helicopter Textron

Canada: Amendment 39-11391. Docket No. 99-SW-07-AD.

Applicability: Model 407 helicopters, with vertical fin (fin) assembly, part number (P/N) 206-020-113-223A, -223B, or -223S, with a serial number with a prefix of "BP", up to and including 2266 (except BP2260, BP2262, and BP2265), 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 within 100 hours time-in-service, unless accomplished previously.

To detect fin assemblies with reduced skin thickness which, if not corrected, reduce the strength of the skin and could lead to failure of the vertical fin (fin) and subsequent loss of control of the helicopter, accomplish the following:

(a) Visually inspect the fin assembly for reduced skin thickness, indicated by notches, scratches, or grooves on the skin, in accordance with Part I of the Accomplishment Instructions contained in Bell Helicopter Textron Alert Service Bulletin No. 407-98-17, Revision A, dated June 26, 1998 (ASB). If notches, scratches, or grooves are found, repair or replace the fin assembly in accordance with Part II of the Accomplishment Instructions contained in the ASB.

(b) Identify any fin that has been inspected or repaired in accordance with Part III of the Accomplishment Instructions in the ASB.

(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 Certification Office, Rotorcraft Directorate, FAA. Operators shall submit their requests through a 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.

(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) The visual inspection, repair or replacement of the fin, if necessary, and the identification of fins that have been repaired or replaced shall be done in accordance with Parts I, II, or III, as applicable, of the Accomplishment Instructions in Bell Helicopter Textron Alert Service Bulletin No. 407-98-17, Revision A, dated June 26, 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.

(f) This amendment becomes effective on December 2, 1999.

Note 3: The subject of this AD is addressed in Transport Canada (Canada) AD No. CF-98-10R1, dated August 20, 1998.

Issued in Fort Worth, Texas, on October 18, 1999.

Eric Bries,

*Acting Manager, Rotorcraft Directorate,
Aircraft Certification Service.*

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-NM-27-AD; Amendment 39-11389; AD 99-22-11]

RIN 2120-AA64

Airworthiness Directives; British Aerospace Model BAe 146 and Avro 146-RJ Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all British Aerospace Model BAe 146 and Avro 146-RJ series airplanes, that requires installation of modified roller sub-assemblies in both the main landing gear (MLG) door lock and the MLG uplock. This amendment is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent failure of the roller sub-assemblies, which could result in failure of the MLG to retract and lock after takeoff, or to deploy properly for landing.

DATES: Effective December 2, 1999.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 2, 1999.

ADDRESSES: The service information referenced in this AD may be obtained from British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

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 all British Aerospace Model BAe 146 and Avro 146-RJ series airplanes was published in the **Federal Register** on July 7, 1999

(64 FR 36626). That action proposed to require installation of modified roller sub-assemblies in both the main landing gear (MLG) door lock and the MLG uplock.

Comments Received

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Request to Include Alternate Modification

One commenter, the manufacturer, requests that the proposed AD allow reference to an improved roller which will be approved in the near future. British Aerospace Service Bulletin SB.32-150-70656A, dated December 1, 1998, which is referenced in the proposed AD as the appropriate source of service information, introduces an interim standard roller for the main landing gear door lock and uplock (reference British Aerospace Modification HCM70656A). However, the commenter advises that an improved roller is to be introduced in the next two months as British Aerospace Modification HCM70656B. According to the commenter, this modification is being addressed with the Civil Aviation Authority (CAA), which is the airworthiness authority of the United Kingdom, and is expected to be approved as an alternative method of compliance. The commenter requests that this alternative modification be referenced in the AD in order to allow operators to readily take advantage of either method of compliance.

The FAA concurs. The FAA has received additional information from the manufacturer regarding the acceptability of the improved roller described in British Aerospace Modification HCM70656B. This modification has now been approved by the CAA of the United Kingdom as an acceptable alternative method of compliance to installation of the standard roller described in Service Bulletin SB.32-150-70656A. Accordingly, the FAA has determined that Modification HCM70656B is an acceptable method of compliance for the requirements of this AD, and has added a "NOTE" to the final rule to provide such credit to operators. A reference to Modification HCM70656A has also been included in paragraph (a) of the AD to clarify the requirements of that paragraph.

Conclusion

After careful review of the available data, including the comment noted