

specify the system and procedures for sampling and measurement of smoke emissions" to read "Appendix 6 of this document specifies the compliance procedure for gaseous emissions and smoke."

**§ 34.64 [Corrected]**

4. On page 559, in the third column, in § 34.64, eighth line, add ", effective March 20, 1997" to the end of the first sentence of the section.

**§ 34.71 [Corrected]**

5. On page 5559, in the third column, in § 34.71, thirteenth line, correct "effective March 20, 1997" to read "effective July 26, 1993."

**§ 34.82 [Corrected]**

6. On page 5560, in the first column, in § 34.82, seventh line, add ", effective July 26, 1993" to the end of the first sentence of the section.

**§ 34.89 [Corrected]**

7. On page 5560, in § 34.89, in the third column, fourth line, add ", effective July 26, 1993" to the end of the third sentence of the section.

Issued in Washington, DC, on November 1, 1999.

**Donald P. Byrne,**

*Assistant Chief Counsel.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 99-SW-01-AD; Amendment 39-11403; AD 99-23-07]

RIN 2120-AA64

**Airworthiness Directives; Eurocopter France Model SA330F, G, J, and AS332C, L, and L1 Helicopters**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Eurocopter France Model SA330F, G, J, and AS332C, L, and L1 helicopters. This action requires inserting statements into the Limitations section of the Rotorcraft Flight Manual (RFM) prohibiting flight under certain atmospheric conditions. This amendment is prompted by one incident in which a Multi-Purpose Air Intake (MPAI) inlet seal deflated after the P2 air system line, which feeds the

seal, clogged due to the formation of ice. The actions specified in this AD are intended to prevent clogging of the MPAI seal P2 air system line due to ice formation, which could result in deflation of the MPAI seal, loss of engine power, and subsequent loss of control of the helicopter.

**DATES:** Effective November 22, 1999.

Comments for inclusion in the Rules Docket must be received on or before January 4, 2000.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99-SW-01-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**FOR FURTHER INFORMATION CONTACT:**

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:** The Direction Generale De L'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on Model SA330F, G, J, and AS332C, L, and L1 helicopters. The DGAC has advised that there was an incident in which an MPAI seal deflated. This deflation could lead to ice formation in the MPAI during flight in moist atmospheric conditions.

These helicopter models are manufactured in France and are 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 SA330F, G, J, and AS332C, L, and L1 helicopters of the same type design registered in the United States, this AD is being issued to prevent clogging of the MPAI seal P2 air system line due to ice formation, which could result in deflation of the MPAI seal, loss of engine power, and subsequent loss of control of the helicopter. This AD requires, before further flight, inserting statements into the Limitations section

of the RFM which prohibit flight in certain atmospheric conditions, and prohibit flight in specific conditions unless operation of the MPAI seal has been visually checked. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the helicopter. Therefore, inserting the pages into the RFM is required prior to further flight, and this AD must be issued immediately.

None of the helicopters affected by this action are registered in the U.S. All helicopters included in the applicability of this rule are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject helicopters are imported and placed on the U.S. Register in the future.

Should an affected helicopter be imported and placed on the U.S. Register in the future, it would require approximately 1 work hour to insert the statements into the RFM, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of this AD would be \$60 per helicopter.

Since this AD action does not affect any helicopter that is currently on the U.S. Register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

**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-01-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 notice and prior public comment are unnecessary in promulgating this regulation, and therefore it can be issued immediately to correct an unsafe condition since none of these model helicopters are registered in the U.S. 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:

#### AD 99-23-07 Eurocopter France:

Amendment 39-11403. Docket No. 99-SW-01-AD.

#### Applicability:

- Model SA330F or G helicopters not modified by MOD 0723672;
- Model SA330J helicopters not modified by either MOD 0723672 or optional Eurocopter Service Bulletin 30.16, dated January 19, 1999; and
- AS332C, L, and L1 helicopters not modified by either MOD 0725855 or both MOD 0725974 and MOD 0725998 as noted in Eurocopter Service Bulletin 01.00.54R1, dated July 12, 1999, with Multi-Purpose Air Intakes (MPAI) 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 before further flight, unless accomplished previously.

To prevent clogging of the MPAI seal P2 air system line due to ice formation, which could result in deflation of the MPAI seal, loss of engine power, and subsequent loss of control of the helicopter, accomplish the following:

(a) Insert the following statement prohibiting flight in certain atmospheric conditions into the Limitations section of the Rotorcraft Flight Manual (RFM):

"A. Flight under the following conditions is prohibited:

1. Flight in clouds or fog at an OAT equal to or lower than 3 degrees Celsius (37.4 degrees Fahrenheit).
2. Flight in rain at an OAT within the temperature range of -3 degrees to +3 degrees Celsius (26.6 degrees to 37.4 degrees Fahrenheit).

B. Flight under the following conditions is prohibited unless the Multi-Purpose Air Intake seals have been visually checked for proper inflation immediately prior to entering the specified atmospheric conditions:

1. Flight in falling or recirculating snow at an OAT equal to or higher than -3 degrees Celsius (26.6 degrees Fahrenheit).

2. Takeoff after extended ground taxiing or holding in falling snow at an OAT equal to or above -3 degrees Celsius (26.6 degrees Fahrenheit)."

(b) This AD revises the Limitations section in the RFM by prohibiting flight in certain atmospheric conditions and prohibiting flight in other specified atmospheric conditions unless operation of the MPAI seal has been visually checked prior to entering the specific atmospheric conditions.

(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 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 will not be issued.

(e) This amendment becomes effective on November 22, 1999.

**Note 3:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 98-201-068(A)R2, dated September 22, 1999, and AD 98-202-080(A)R1, dated January 27, 1999.

Issued in Fort Worth, Texas, on October 29, 1999.

#### Eric Bries,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 99-ASO-1]

RIN 2120-AA66

#### Modification of the San Juan Low Offshore Airspace Area, PR

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

**ACTION:** Final rule.

**SUMMARY:** This action amends the San Juan Low Offshore Airspace Area by extending it to include the airspace northwest of San Juan, PR, between the 100-mile radius of the Fernando Luis Ribas Dominici Airport and the San Juan Control Area/Flight Information Region (CTA/FIR) and Miami CTA/FIR boundary. This action increases the airspace managed by domestic air traffic control (ATC). Extension of this Class E airspace area will enhance the management of air traffic operations and result in more efficient use of that airspace.