

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Chicago Department of Aviation.

Issued in Des Plaines, Illinois on December 9, 1999.

Benito De Leon,

Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.

[FR Doc. 99-33041 Filed 12-20-99 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application (00-05-C-YKM) To Impose and Use, and Impose Only, the Revenue From a Passenger Facility Charge (PFC) at Yakima Air Terminal-McAllister Field, Submitted by the Yakima Air Terminal Board, Yakima Air Terminal-McAllister Field, Yakima, Washington

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use, and impose only, PFC revenue at Yakima Air Terminal-McAllister Field under the provisions of 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before January 20, 2000.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: J. Wade Bryant, Manager; Seattle Airports District Office, SEA-ADO; Federal Aviation Administration; 1601 Lind Avenue SW, Suite 250, Renton, Washington, 98055-4056.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Bob Clem, Airport Manager, at the following address: 2400 West Washington Avenue, Yakima, Washington 98903.

Air Carriers and foreign air carriers may submit copies of written comments previously provided to Yakima Air Terminal-McAllister Field, under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Ms. Suzanne Lee-Pang; Seattle Airports District Office, SEA-ADO; Federal Aviation Administration; 1601 Lind

Avenue, SW, Suite 250, Renton, Washington, 98055-4056. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application (00-05-C-00-YKM), to impose and use, and impose only, PFC revenue at Yakima Air Terminal-McAllister Field, under the provisions of 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On December 13, 1999, the FAA determined that the application to impose and use, and impose only, the revenue from a PFC submitted by Yakima Air Terminal Board, Yakima, Washington, was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than March 14, 2000.

The following is a brief overview of the application.

Level of the proposed PFC: \$3.00.

Proposed charge effective date: June 1, 2000.

Proposed charge expiration date: August 1, 2002.

Total requested for use approval: \$297,687.

Total requested for collection authority: \$480,000.

Brief description of proposed project: Impose and Use: Update Airport Layout Plan; Install Visual Navigational Aids; Purchase Radio Equipment; B Taxiway Rehabilitation. Impose Only: Construct West Perimeter Road.

Class or classes of air carriers, which the public agency has requested not be required to collect PFC's: Air taxi/commercial operators filing FAA Form 1800-31.

Any person may inspect the application in person at the FAA office listed above or under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Office located at: Federal Aviation Administration, Northwest Mountain Region, Airports Division, ANM-600, 1601 Lind Avenue, S.W., Suite 540, Renton, WA 98055-4056.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Yakima Air Terminal-McAllister Field.

Issued in Renton, Washington on December 13, 1999.

David A. Field,

Manager, Planning, Programming and Capacity Branch, Northwest Mountain Region.

[FR Doc. 99-33040 Filed 12-20-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Certification Basis for Garlick Helicopters, Inc. Model GH205A Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Type Certification Basis.

SUMMARY: This document establishes the type certification basis for Garlick Helicopters, Inc. Model GH205A helicopters. It is published in the interest of keeping the public informed and to advise all interested persons of the airworthiness standards applicable to Model GH205A helicopters.

FOR FURTHER INFORMATION CONTACT: Richard Monschke, Aerospace Engineer, FAA, Rotorcraft Directorate, Fort Worth, Texas 76193-0110, telephone (817) 222-5116, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION:

Background

On December 9, 1993, Garlick Helicopters, Inc., of Hamilton, Montana, applied for a transport category rotorcraft type certificate under the provisions of 14 CFR 21.27, "Issue of type certificate: surplus aircraft of the Armed Forces of the United States," for former U.S. Army Model UH-1H and UH-1V helicopters, to be redesignated as Garlick Helicopters, Inc. Model GH205A helicopters. The later military Model UH-1V helicopters contain avionics and internal equipment changes only and is considered identical to Model UH-1H helicopters for the purposes of FAA certification.

Section 21.27 provides two methods for obtaining a type certificate on a military surplus aircraft designed and constructed in the United States and accepted for operational use by the U.S. Armed Forces. The type certificate may be obtained if the surplus aircraft (1) is a counterpart of a previously type certificated civil aircraft, or (2) meets the airworthiness standards in effect when the particular model was accepted for operational use by the U.S. Armed Forces, subject to any special conditions or later amendments necessary to ensure an adequate level of airworthiness for the aircraft. The U.S. Army procurement offices in St. Louis, Missouri, has stated that the UH-1H model helicopter was first accepted for operational use by the U.S. Army on September 8, 1966, and no similar civil version was certificated until June 13, 1968. Hence, no similar civil model was certificated prior to the first operational use of the military UH-1H model helicopter. Therefore, the

Model GH205A helicopter must comply with the airworthiness standards specified in § 21.27(f) at the regulation amendment level in effect on September 8, 1966.

Section 21.27(d) permits the FAA to relieve an applicant from strict compliance with an airworthiness standard in the certification basis, provided the stated conditions are satisfied. Additionally, § 21.27(e) permits the FAA to adopt special conditions or later airworthiness requirements if the FAA finds that the requirements stated in § 21.27(e) and (f) would not ensure an adequate level of airworthiness of the type design. Special conditions are airworthiness safety standards promulgated in accordance with §§ 11.28 and 21.16, which include public participation, and establish a level of safety equivalent to that contained in the regulations.

A notice that invited public comments on the proposed certification basis including the Special Condition concerning the T53-L-13 engine for the Model GH205A helicopters was published in the **Federal Register**, on July 2, 1997 (62 FR 35872). Numerous comments, both for and against, were received on the proposed certification basis.

General Discussion of Public Comments

The FAA has carefully reviewed and considered all comments in the development of the type certification basis and the regulatory standards contained therein for Model GH205A helicopters. Because of the volume of comments, comments of a similar nature are answered as a group.

After receipt of the comments from the notice of proposed type certification basis, the FAA decided to issue a separate Special Condition for the T53-L-13 engines. In that Final Special Condition; request for comments, the FAA disposed of the comments relating to the engine. Special Condition No. 29-006-SC, issued and effective on September 22, 1999 (64 FR 52646 September 30, 1999), promulgates the additional safety standards that the FAA Administrator considers necessary to establish a level of safety for the T53-L-13 surplus military aircraft engines installed in the Model GH205A helicopters equivalent to that established by the existing airworthiness standards.

Discussion of Comments

Several commenters suggested that the Model UH-1H helicopters while being flown by the U.S. Army had a safe operational record. These commenters state that Model UH-1H helicopters are

proven aircraft with some 20 million fleet hours. The commenters state that this satisfactory service history shows that the Model UH-1H helicopters are safe and reliable. One commenter reports that they have flown Model UH-1H helicopters in the public-use role for over 46,000 flight hours of accident-free operations. Another commenter reports that they have flown Model UH-1 helicopters accumulating over 16,000 flight hours without an incident or accident caused by mechanical failure or maintenance problems.

In general, the FAA agrees that Model UH-1H helicopters have demonstrated a satisfactory military service history. However, for FAA type certification in the civil transport rotorcraft category, more than satisfactory military service history is required. In some instances, military qualifications and acceptance do not meet the safety requirements specified in 14 CFR parts 21 and 29. Since the proposed Model GH205A helicopters will be flown in accordance with 14 CFR parts 91 and 135 operating requirements, those operations must meet the minimum appropriate level of safety commensurate with the category for which certification is requested. Therefore, in accordance with 14 CFR 21.27, the FAA will require Garlick Helicopters, Inc. to meet the appropriate regulation and certain special conditions deemed necessary to ensure the appropriate minimum level of safety.

Some public aircraft operators commented that the proposed Model GH205A helicopters would benefit the taxpayers. They argue that the taxpayers, who must pay for fire fighting and rescue services, have already paid for these helicopters as military aircraft and should continue to benefit from their operation.

The FAA does not evaluate applications for type certificates based on economic considerations. The type certification basis is established by mandating applicable minimum safety standards. The FAA presumes that the type certificate applicant has or will perform an economic analysis based on the regulatory requirements.

Several comments were received concerning the economic impact of the civil certification of military surplus helicopters. One commenter stated that infusing large numbers of military surplus aircraft into the civil market would have a much more detrimental affect on the industry than any benefits that might be realized. Not only would it affect the major manufacturers and large commercial operators, it would also affect small companies and individual owners who have invested in

standard category aircraft. These commenters further state that the certification of military surplus helicopters would "devalue the civil fleet and the owners of civil-certified standard category helicopters would be at a competitive disadvantage." They further emphasized that "the civil market has already been damaged enough through national park regulations and loss of public-use contracts to surplus aircraft. Any further pursuit of an initiative to certify surplus aircraft could very well harm the industry in such a manner that it would not recover." Another commenter stated, "My concern is trying to make a profit by competing with people with lesser standards operating surplus government helicopters."

The FAA is sensitive to both sides of the economic issues associated with this project. However, in accordance with 14 CFR 21.27, an applicant is entitled to a type certificate for a surplus aircraft of an Armed Force of the United States if it complies with certain appropriate regulations. The FAA's focus is on assuring that the minimum level of safety is maintained.

One commenter states that the sudden expansion of the number of operators in the industry due to the affordability and access to surplus aircraft will result in an increased workload on an already overloaded FAA inspection system and would necessitate the need for additional manpower to regulate that growth.

The FAA continually assesses the resources needed to regulate the industry. However, the FAA has no basis to deny a type certificate to an applicant that has met all the appropriate regulatory requirements.

Several commenters state that the proposed certification basis will assure a proper level of safety for a transport category rotorcraft. These commenters emphasize that the proper level of safety is generated when the proposed regulatory criteria is met during the upgrade from military surplus to transport category rotorcraft and when the aircraft are properly maintained during service.

The FAA agrees. The type certification basis and special conditions will provide a high level of safety for Model GH205A helicopters. The airframe, including electrical and mechanical systems as well as the engine, will be inspected and overhauled in accordance with an FAA-approved procedure. Model GH205A helicopters will be produced in accordance with an FAA-approved type design. A FAA-approved production and quality system will be maintained

with FAA oversight. The Fort Worth Aircraft Evaluation Group will review the instructions for continued airworthiness for acceptability. The Rotorcraft Certification Office will review and approve the Airworthiness Limitations.

One commenter states that certification of Model GH205A helicopters would cause an irreparable setback to rotorcraft aviation due to the high noise signature of the similar Model UH-1 helicopters, which has already been responsible for a negative perception and acceptance of helicopters by the general public. Certain helicopter models are currently banned from several geographical areas in the civil sector because of their high ambient noise level.

The Model GH205A helicopter certification basis includes 14 CFR part 36, Appendix H, latest Amendment, "Noise Requirements for Helicopters under Subpart H". Further, a prototype Model GH205A helicopter has been tested and found to be in compliance with the current Part 36, Appendix H, noise certification requirements. The Model GH205A helicopters will basically have the same noise signature as existing civil certified Bell Helicopter Textron, Inc. (Bell) Model 205A helicopters.

Several commenters point out that there was a Notice of Proposed Rulemaking (NPRM No. 94-12) published in the **Federal Register** on April 21, 1994, which proposed to rescind the current rules providing for the issuance of a type certificate to surplus military aircraft previously accepted for use by the U.S. Armed Forces. They state that the airworthiness standards specified for compliance are no longer appropriate for normal or transport category helicopter type certification and do not offer the same levels of safety to the general public as current amendment levels of FAR Parts 27 and 29.

While the FAA agrees that several amendments to the normal and transport helicopter airworthiness standards, FAR Parts 27 and 29, have been incorporated to enhance flight safety since the U.S. military first accepted delivery of the Model UH-1 series helicopters, retroactive compliance to later amendment levels for previously-certificated civil helicopters has not been required of any type certificate holder. There are currently many type certificated helicopters on the FAA U.S. Registry, similar to Model GH205A helicopters, that were type certificated to the airworthiness standards in existence at the time the Model UH-1 series

helicopters entered military service. The type certification basis established for Model GH205A helicopters meets the regulatory requirements of the Bell Model 205A helicopters, and also includes certain requirements imposed by later FAR Part 29 and FAR Part 33 amendment levels to achieve a level of safety equal to that required of current type certificate applicants. The FAA recognizes that the type, quantity, and potential civil usage of aircraft now being declared surplus by the U.S. Armed Forces has changed significantly since the World War II era, hence the promulgation of NPRM 94-12. NPRM 94-12 was never adopted. The FAA has a rigorous airworthiness compliance plan for the Model GH205A helicopters, including provisions for maintaining the continued airworthiness of these helicopters, such that no unfair advantage of Garlick Helicopters, Inc. over current helicopter manufacturers is intended and the type certification basis will result in a safe helicopter.

Several commenters state that the surplus Model UH-1 series airframes are similar in appearance to civil-certified Bell Model 205 helicopters, but do not meet FAR Part 29 airworthiness requirements due to significant differences in the rotor drive systems configuration, control systems design and construction materials. They state that the tail rotor on the Bell Model 205 helicopters is located on the right side of the tailboom with a push/pull tube type of control system, while on the Model UH-1 series helicopters, the tail rotor is located on the left side of the tail boom and controlled via a cable/silent chain system. A commenter further states that the hydraulic boost actuators for the collective and cyclic main rotor primary control systems on the Bell Model 205 helicopters are required by the FAA to have redundant servo valves while the corresponding actuators on the Model UH-1 series helicopters contain a single servo valve. In addition, a commenter states that many airframe components/detail parts on the Model UH-1 series helicopters may have been replaced by the military with breakout parts. Also, military design specifications in some cases allowed the substitution of aluminum and magnesium in the Model UH-1 series helicopters instead of steel for similar parts on the Bell Model 205 helicopters.

While the FAA is aware of these differences, it has determined that an applicant can conduct a design review of the Model UH-1H series helicopters to show compliance and address those areas which require modification in order to comply with the Model GH205A helicopters' type certification

basis, which will result in a safe helicopter.

In accordance with FAR 21.31, Garlick Helicopters, Inc. will be required to have a complete set of FAA-approved type design data which defines the configuration and design features of the Model GH205A helicopters' type design shown to comply with the Model GH205A helicopters' type certification basis. A complete drawing package will be required including any drawings for replacement or upgraded parts utilized from the original equipment manufacturer or other FAA production approval holders.

FAA-approved procedures will be utilized to conduct receiving inspections on each Model GH205A helicopters' airframe; to purge all breakout parts; to inspect and, if necessary, overhaul all major systems; to establish criteria for use of life-limited parts; and to conform the helicopter to a FAA-approved configuration.

Since the FAA originally imposed the dual servo valve hydraulic flight control actuator requirement on the Bell Model 205 helicopters' type certification, over 20 million military and civil flight hours have been accrued with acceptable service history on both military Model UH-1 and civil Bell Model 204 helicopters, which have single servo valve hydraulic actuators. Therefore, service history for the single servo actuators has proven to be satisfactory. However, Model GH205A helicopters will be subjected to extensive ground and flight tests to demonstrate the acceptability of the single servo actuators utilized in the surplus Model UH-1 series helicopters. If these tests are successful, an equivalent level of safety will have been demonstrated for § 29.695, Power boost and power-operated control system.

Additionally, in accordance with § 21.27(e), the FAA has determined that the following sections must be included in the Model GH205A helicopters' type certification basis:

- 14 CFR part 29.2, Amendment 29-32, Special retroactive requirements. This Section requires each occupant's seat to be equipped with a safety belt and shoulder harness.
- 14 CFR part 29.785, Amendment 29-24, Seats, berths, safety belts, and harnesses. This Section describes the loads and other criteria that the seat belt and shoulder harness must meet.
- 14 CFR part 29.853, Amendment 29-18, Compartment interiors. This section describes the requirements for cabin interiors. Of particular interest are the material burn testing requirements.

Several commenters state that the proposed type certification basis will not assure a level of safety equal to other transport category helicopters currently certified, that use of obsolete certification regulations will not meet the same level of safety required of aircraft certified under modern certification regulations, and that Model UH-1H helicopters were built under military requirements while the Bell Model 205 helicopters were designed for civilian use and therefore meet a higher standard.

14 CFR 21.27 allows a type certification basis other than the most current certification regulations. As previously discussed, retroactive compliance for previously certificated civil helicopters or their derivatives has not been required of any type certificate holder. Bell Model 205 helicopters were certificated to CAR 7 rules. The FAA has determined that the Model GH205A helicopters' type certification basis at FAR 29, Amendment 1, certain later Amendments of FAR 29, equivalent safety finding requirement, CAR 13 at Amendments 13-1, 13-2 and 13-3, certain later Amendments of FAR 33, and special conditions provide a satisfactory level of safety commensurate with Bell Model 205 helicopters.

Type Certification Basis

Pursuant to the provisions of § 21.27, the type certification basis of the Garlick Helicopters, Inc. Model GH205A helicopters is:

1. 14 CFR part 29 of the Federal Aviation Regulations (FAR) effective August 12, 1965, as amended by Amendment 29-1, Category B, except:
 - Section 29.2 of the FAR effective September 16, 1991, as amended by Amendment 29-32.
 - Section 29.695 through Amendment 29-1, Category B, Finding of Equivalent Safety.
 - Section 29.785 of the FAR effective December 6, 1984, as amended by Amendment 29-24.
 - Section 29.853 of the FAR effective March 6, 1980, as amended by Amendment 29-18.
 - Section 29.1529 of the FAR effective October 14, 1980, as amended by Amendment 29-20.

2. 14 CFR part 36 of the FAR, Appendix H, latest Amendment in existence at the time of certification.

3. Part 13 of the Civil Air Regulations (CAR) effective August 12, 1957, as amended by Amendment 13-1.

4. Part 13 of the CAR effective May 17, 1958, as amended by Amendment 13-2.

5. Part 13 of the CAR effective October 1, 1959, as amended by Amendment 13-3.

6. 14 CFR Section 33.4 of the FAR effective October 14, 1980, as amended by Amendment 33-9.

7. 14 CFR Section 33.14 of the FAR effective March 26, 1984, as amended by Amendment 33-10.

8. Special Condition No. 29-006-SC.

Additional Special Conditions

The necessity for additional special conditions may become evident as more experience is gained during this type certification program. Any additional special conditions will be promulgated in accordance with §§ 11.28 and 21.16.

Post-Certification Activity

The design evaluation does not end with the issuance of the type certificate. Regulations require type certificate holders to submit various reports and data on the helicopters' service experience and to perform periodic inspections and maintenance necessary to assure continued airworthiness. The FAA continues to monitor the safety performance of a design after the type design is approved and the aircraft is introduced into service through the various reports and data that the FAA receives, and with post-certification design reviews when necessary. The airworthiness standards, such as Part 29 and Part 33, and the operational standards, such as parts 91 and 135, are amended from time to time to incorporate new technologies and to upgrade the existing level of safety. If, during an evaluation, an unsafe condition is found as a result of service experience and that condition is likely to exist or develop in other products of the same type, the FAA issues an AD under part 39 to require a change to the type design or to define special inspection or operational limitations. In effect, these are retroactive applications of required type design changes.

Issued in Fort Worth, Texas on December 9, 1999.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-33039 Filed 12-20-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Intelligent Transportation Society of America; Public Meeting

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of public meeting.

SUMMARY: The Intelligent Transportation Society of America (ITS AMERICA) will hold a meeting of its Board of Directors on Thursday, January 13, 2000. The meeting begins at 2:00 p.m. The letter designations that follow each item mean the following: (I) is an "information item;" (A) is an action item; (D) is a discussion item. This meeting includes the following items: (1) Introductions and ITS America Antitrust Policy and Conflict of Interest Statements; (2) Review and Approval of Board Meeting Minutes for August 10, 1999, and November 7, 1999 (A); (3) US DOT ITS Federal Report (I/D); (4) Executive Committee Report (I); (5) Coordinating Council Report (A); (6) National ITS Deployment Strategy Project (I); (7) State Chapters Council Report (I); (8) ITS America Association: Business Plan and Congressional Tour Report; (9) Report of the ITS World Congress: Toronto World Congress Update; Other International Activities (I/A/D); (10) 2000 ITS America Annual Meeting Update (I); (11) President's Report (External Issues) (I); (12) Other Business; (13) At 3:30 p.m. A Business Session open only to Board Members, ITS America Members and Staff.; (14) Report of the Finance Committee: 1999 Budget Status; Resource Allocation Plans; and Ratification of Executive Committee Approval of 2000 Budget; (15) President's Report (Internal Issues); (16) Presentation of Slates of Nominees for Board and Officers; Coordinating Council Officers; At-Large Seats; and Committee/Task Force Chairs; and State Chapters Council Officers (A); (17) Other Business: 2000 Board of Directors Meeting Schedule (I); (18) Adjournment until May 4, 2000, Board of Directors Meeting #34 held in conjunction with the ITS America Annual Meeting in Boston, MA.

ITS AMERICA provides a forum for national discussion and recommendations on ITS activities including programs, research needs, strategic planning, standards, international liaison, and priorities.

The charter for the utilization of ITS AMERICA establishes this organization as an advisory committee under the Federal Advisory Committee Act (FACA) 5 USC app. 2, when it provides advice or recommendations to DOT officials on ITS policies and programs. (56 FR 9400, March 6, 1991).

DATES: The Board of Directors of ITS AMERICA will meet on Thursday, January 13, 2000, from 2:00 p.m.-6:00 p.m.

ADDRESSES: Marriott Wardman Park Hotel, 2660 Woodley Road, NW,