

in their service bulletin that there will be no charge for the parts. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$90.

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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 FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

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:

2001-20-18 Robinson Helicopter Company: Amendment 39-12466. Docket No. 2000-SW-67-AD.

Applicability: Model R44 helicopters, with horizontal stabilizer assembly (assembly), part number (P/N) C044-1; horizontal stabilizer serial number (S/N) 0009 through 0224, except S/N 0018, 0090, 0094, 0111, 0129, 0144, 0161, 0178, 0201, and 0223, 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 as indicated, unless accomplished previously.

To prevent a crack through a vertical-to-horizontal stabilizer attach channel (channel), which can cause separation of the stabilizers and subsequent loss of control of the helicopter, accomplish the following:

(a) Before accumulating 2200 hours time-in-service (TIS) on the assembly:

(1) Remove the vertical stabilizer to inspect the nutplate on channels, P/N D283-1 and -2.

(2) If the nutplates are P/N MS21086L4, no further action is required by this AD.

(3) If the nutplates are P/N NAS697A4, replace the channels with airworthy channels, P/N D296-1 or -2.

Note 2: Robinson Helicopter Company Service Bulletin SB-39, dated September 12, 2000, pertains to the subject of this AD.

(b) This AD revises the Limitations section of the maintenance manual by establishing a retirement life of 2200 hours TIS for assembly, P/N CO44-1, with channels, P/N D283-1 or -2, with nutplates, P/N NAS697A4, installed.

(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, Los Angeles Aircraft Certification Office (LAACO), FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, LAACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the LAACO.

(d) Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the requirements of this AD can be accomplished.

(e) This amendment becomes effective on November 19, 2001.

Issued in Fort Worth, Texas, on October 3, 2001.

Mark R. Schilling,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 01-25693 Filed 10-12-01; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001-SW-49-AD; Amendment 39-12470; AD 2001-19-52]

RIN 2120-AA64

Airworthiness Directives; Bell Helicopter Textron Canada Model 222, 222B, 222U, and 230 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 2001-19-52 which was sent previously to all known U.S. owners and operators of Bell Helicopter Textron Canada (BHTC) Model 222, 222B, 222U, and 230 helicopters by individual letters. This AD requires removing certain serial-numbered main rotor pendulum weight supports from service and replacing with airworthy main rotor pendulum weight supports. This AD is prompted by the failure of a main rotor pendulum weight support (support) resulting in shedding of the weights and an increased level of main rotor vibration. The actions specified by this AD are intended to prevent failure of a support, loss of a weight set resulting in main rotor vibration, and subsequent loss of control of the helicopter.

DATES: Effective October 30, 2001, to all persons except those persons to whom it was made immediately effective by Emergency AD 2001-19-52, issued on September 21, 2001, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before December 14, 2001.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2001-SW-49-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. You may also send comments electronically to the Rules Docket at the following address: 9-asw-adcomments@faa.gov.

FOR FURTHER INFORMATION CONTACT: Jim Grigg, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations Group, Fort Worth, Texas 76193-0110, telephone (817) 222-5490, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION: On September 21, 2001, the FAA issued Emergency AD 2001-19-52, for BHTC

Model 222, 222B, 222U, and 230 helicopters, which requires removing certain serial-numbered supports from service and replacing them with airworthy supports. That action was prompted by the failure of a support resulting in shedding of the weights and an increased level of main rotor vibration. Subsequent investigation revealed that the failed support had manufacturing defects. This condition, if not corrected, could result in failure of a support, loss of a weight set resulting in main rotor vibration, and subsequent loss of control of the helicopter.

Transport Canada, which is the airworthiness authority for Canada, notified the FAA that an unsafe condition may exist on BHTC Model 222, 222B, 222U, and 230 helicopters. Transport Canada advises that due to manufacturing discrepancies, certain supports, if not replaced, could fail in flight.

BHTC has issued Alert Service Bulletins 222-01-91, 222U-01-62, and 230-01-24, all dated May 18, 2001, which describe procedures for replacing all supports identified with a serial number (S/N) having the prefix "HD." Transport Canada classified these service bulletins as mandatory and issued AD CF-2001-28, dated July 24, 2001, to ensure the continued airworthiness of these helicopters in Canada.

These helicopter models are manufactured in Canada and are type certificated for operation in the United States under the provisions of 14 CFR 21.29 and the applicable bilateral agreement. Pursuant to the applicable bilateral agreement, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada, reviewed all available information, and determined that AD action is necessary for products of these type designs that are certificated for operation in the United States.

Since the unsafe condition described is likely to exist or develop on other BHTC Model 222, 222B, 222U, and 230 helicopters of the same type designs, the FAA issued Emergency AD 2001-19-52 to prevent failure of a support, loss of a weight set resulting in main rotor vibration, and subsequent loss of control of the helicopter. The AD requires, within 25 hours time-in-service (TIS) or 3 months, whichever occurs first, removing from service all supports, part number 222-011-114-103, with a S/N having the prefix "HD" and replacing them with airworthy supports. The short compliance time involved is required because the previously

described critical unsafe condition can adversely affect the structural integrity of the helicopter. Therefore, the actions described previously are required at the specified time intervals, and this AD must be issued immediately.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual letters issued on September 21, 2001, to all known U.S. owners and operators of BHTC Model 222, 222B, 222U, and 230 helicopters. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to 14 CFR 39.13 to make it effective to all persons. However, the Emergency AD contained an error when listing the Transport Canada AD number. The number was incorrectly listed as AD CF-2001-2B; the correct number is AD CF-2001-28. There was also a comma instead of a period at the end of Note 4 of the Emergency AD. The FAA discovered these errors and posted a corrected Emergency AD on the Internet at <http://av-info.faa.gov/ad/ad.htm>. The FAA has determined that these changes neither increase the economic burden on an operator nor increase the scope of the AD.

The FAA estimates that 112 helicopters of U.S. registry will be affected by this AD, that it will take approximately 6 work hours per helicopter to accomplish the required actions, and the average labor rate is \$60 per work hour. The manufacturer states in its service bulletins that owners/operators complying with the service bulletin on or before December 31, 2001 will receive a special 100% warranty credit for the necessary parts. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$20,160 (\$360 per helicopter, assuming half the fleet has supports replaced and assuming the actions are accomplished by the specified date and that the manufacturer's instructions for receiving the credit are followed).

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 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 mailed 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. 2001-SW-49-AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that 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:

2001-19-52 Bell Helicopter Textron

Canada: Amendment 39-12470. Docket No. 2001-SW-49-AD.

Applicability: Model 222, serial number (S/N) 47006 through 47089; Model 222B, S/N 47131 through 47156; Model 222U, S/N 47501 through 47574; and Model 230, S/N 23001 through 23038 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 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 (b) 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: Within 25 hours time-in-service or 3 months, whichever occurs first, unless accomplished previously.

To prevent failure of a main rotor pendulum weight support (support), loss of a weight set resulting in main rotor vibration, and subsequent loss of control of the helicopter, accomplish the following:

(a) Remove from service all supports, part number 222-011-114-103, identified with a serial number having the prefix "HD" and replace with airworthy supports that do not have the S/N prefix "HD."

Note 2: Bell Helicopter Textron Canada Alert Service Bulletins 222-01-91, 222U-01-62, and 230-01-24, all dated May 18, 2001, pertain to the subject of this AD.

(b) 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, Regulations Group, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Regulations Group.

Note 3: Information concerning the existence of approved alternative methods of

compliance with this AD, if any, may be obtained from the Regulations Group.

(c) Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the requirements of this AD can be accomplished.

(d) Emergency AD 2001-19-52, issued September 21, 2001, becomes effective upon receipt.

Note 4: The subject of this AD is addressed in Transport Canada (Canada) AD CF-2001-28, dated July 24, 2001.

(e) This amendment becomes effective on October 30, 2001, to all persons except those persons to whom it was made immediately effective by Emergency AD 2001-19-52, issued September 21, 2001, which contained the requirements of this amendment.

Issued in Fort Worth, Texas, on October 4, 2001.

Mark R. Schilling,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 01-25692 Filed 10-12-01; 8:45 am]

BILLING CODE 4910-13-U

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Parts 4022 and 4044

Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: The Pension Benefit Guaranty Corporation's regulations on Benefits Payable in Terminated Single-Employer Plans and Allocation of Assets in Single-Employer Plans prescribe interest assumptions for valuing and paying benefits under terminating single-employer plans. This final rule amends the regulations to adopt interest assumptions for plans with valuation dates in November 2001. Interest assumptions are also published on the PBGC's Web site (<http://www.pbgc.gov>).

EFFECTIVE DATE: November 1, 2001.

FOR FURTHER INFORMATION CONTACT: Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202-326-4024. (TTY/TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

SUPPLEMENTARY INFORMATION: The PBGC's regulations prescribe actuarial assumptions—including interest assumptions—for valuing and paying

plan benefits of terminating single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974. The interest assumptions are intended to reflect current conditions in the financial and annuity markets.

Three sets of interest assumptions are prescribed: (1) A set for the valuation of benefits for allocation purposes under section 4044 (found in appendix B to part 4044), (2) a set for the PBGC to use to determine whether a benefit is payable as a lump sum and to determine lump-sum amounts to be paid by the PBGC (found in appendix B to part 4022), and (3) a set for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using the PBGC's historical methodology (found in appendix C to part 4022).

Accordingly, this amendment (1) Adds to appendix B to part 4044 the interest assumptions for valuing benefits for allocation purposes in plans with valuation dates during November 2001, (2) adds to appendix B to part 4022 the interest assumptions for the PBGC to use for its own lump-sum payments in plans with valuation dates during November 2001, and (3) adds to appendix C to part 4022 the interest assumptions for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using the PBGC's historical methodology for valuation dates during November 2001.

For valuation of benefits for allocation purposes, the interest assumptions that the PBGC will use (set forth in appendix B to part 4044) will be 6.50 percent for the first 20 years following the valuation date and 6.25 percent thereafter. These interest assumptions represent an increase (from those in effect for October 2001) of 0.40 percent for the first 20 years following the valuation date and are otherwise unchanged.

The interest assumptions that the PBGC will use for its own lump-sum payments (set forth in appendix B to part 4022) will be 4.75 percent for the period during which a benefit is in pay status, and 4.00 percent during any years preceding the benefit's placement in pay status. These interest assumptions represent an increase (from those in effect for October 2001) of 0.25 percent for the period during which a benefit is in pay status and are otherwise unchanged.

For private-sector payments, the interest assumptions (set forth in appendix C to part 4022) will be the same as those used by the PBGC for determining and paying lump sums (set forth in appendix B to part 4022).