

figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

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 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 the following new airworthiness directive:

2002-12-01 BAE Systems (Operations) Limited (Formerly British Aerospace Regional Aircraft):
Amendment 39-12773. Docket 2001-NM-151-AD.
Applicability: Model Jetstream 4101 airplanes, as listed in BAE Systems

(Operations) Limited (Jetstream) Service Bulletin J41-32-075, dated April 18, 2001, certificated in any category.

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 (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: Required as indicated, unless accomplished previously.

To prevent damage to the capsule in the upper and lower bearings of the shortening mechanism of the nose landing gear, which could result in inability to extend the nose landing gear in normal or emergency situations, and consequent injury to passengers and flight crew, accomplish the following:

Functional Test/Corrective Action

(a) Within 300 flight hours or 60 days after the effective date of this AD, whichever comes first: Do a functional test of the shortening mechanism of the nose landing gear for free movement of the capsule in the upper and lower bearings, according to APPH Precision Hydraulics Service Bulletin AIR83586-32-16, dated February 2001. If the capsule does not move freely, before further flight, do the actions specified in paragraph (a)(1) or (a)(2) of this AD, as applicable. If the capsule moves freely, no further action is required by this paragraph.

(1) Rework according to APPH Precision Hydraulics Service Bulletin AIR83586-32-16, dated February 2001.

(2) If the rework is not done, before further flight, do a full functional test of the extension/retraction system of the nose landing gear according to BAE Systems (Operations) Limited (Jetstream) Service Bulletin J41-32-075, dated April 18, 2001, or Revision 1, dated May 18, 2001; and do the actions specified in paragraph (a)(1)(i) or (a)(2)(ii) of this AD, as applicable.

(i) If the nose landing gear extends and retracts correctly, repeat the full functional test every 50 flight hours according to the service bulletin. Within 300 flight hours after the initial test, do the requirements in paragraph (a)(1) of this AD, which ends the repetitive testing specified in this paragraph.

(ii) If the nose landing gear does not extend and retract correctly, before further flight, replace the nose landing gear with new landing gear according to the service bulletin.

Alternative Methods of Compliance

(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, International Branch, ANM-116, Transport Airplane Directorate, FAA. Operators shall

submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

Special Flight Permits

(c) 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.

Incorporation by Reference

(d) The actions shall be done in accordance with APPH Precision Hydraulics Service Bulletin AIR83586-32-16, dated February 2001; and BAE Systems (Operations) Limited (Jetstream) Service Bulletin J41-32-075, dated April 18, 2001; or BAE Systems (Operations) Limited (Jetstream) Service Bulletin J41-32-075, Revision 1, dated May 18, 2001. 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 British Aerospace Regional Aircraft American Support, 13850 Mclearen Road, Herndon, Virginia 20171. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Effective Date

(e) This amendment becomes effective on July 16, 2002.

Issued in Renton, Washington, on June 3, 2002.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 02-14410 Filed 6-10-02; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001-SW-54-AD; Amendment 39-12770; AD 2002-11-09]

RIN 2120-AA64

Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) for Bell Helicopter Textron Canada (BHTC)

Model 407 helicopters that requires visually inspecting the forward hanger bearing bracket (bracket) for a crack. This amendment is prompted by reports of cracks in the bracket. The actions specified by this AD are intended to detect a crack in the bracket, to prevent loss of tail rotor drive or control and subsequent loss of control of the helicopter.

DATES: Effective July 16, 2002.

FOR FURTHER INFORMATION CONTACT: Sharon Miles, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations Group, Fort Worth, Texas 76193-0111, telephone (817) 222-5122, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION: A proposal to amend 14 CFR part 39 to include an AD for BHTC Model 407 helicopters was published in the **Federal Register** on January 16, 2002 (67 FR 2146). That action proposed initial and repetitive inspections for a crack in certain brackets and removing any bracket found with a crack before further flight.

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 adopting the rule as proposed.

The FAA estimates that 442 helicopters of U.S. registry will be affected by this AD, that it will take approximately ¼ work hour per helicopter to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be

\$6630 assuming no crack is detected in a bracket.

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 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:

2002-11-09 Bell Helicopter Textron

Canada: Amendment 39-12770. Docket No. 2001-SW-54-AD.

Applicability: Model 407 helicopters, serial number 53000 through 53442, with flywheel, part number (P/N) 407-040-316-101, installed, certificated in any category.

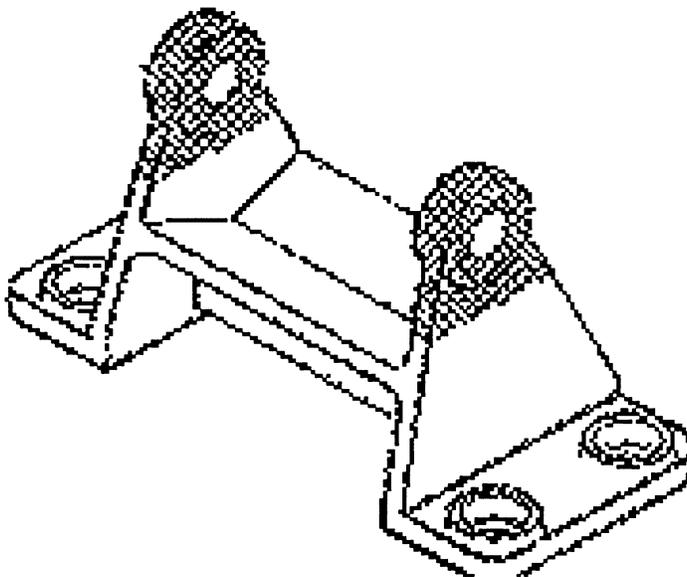
Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (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: Required as indicated, unless accomplished previously.

To detect a crack in the forward bearing hanger bracket (bracket) and to prevent loss of tail rotor drive or tail rotor control and subsequent loss of control of the helicopter, accomplish the following:

(a) Within 25 hours time-in-service (TIS) and thereafter at intervals not to exceed 25 hours TIS, visually inspect each bracket, P/N 407-040-321-101 or -103, for a crack in the shaded area shown in Figure 1 of this AD. Remove any cracked bracket from service.

Note 2: Dismantling of the bearing hanger and the support is not required to accomplish the requirements of this AD.



Bracket P/N 407-040-321-101/-103

Figure 1

Note 3: Bell Helicopter Textron Canada Alert Service Bulletin No. 407-01-39, Revision A, dated May 30, 2001, pertains 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, Rotorcraft Directorate, 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 4: 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) This amendment becomes effective on July 16, 2002.

Note 5: The subject of this AD is addressed in Transport Canada (Canada) AD No. CF-2001-32, dated August 13, 2001.

Issued in Fort Worth, Texas, on May 28, 2002.

Mark R. Schilling,

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

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BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Houston Galveston-02-012]

RIN 2115-AA97

Security Zones; Ports of Houston and Galveston, TX

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is extending the effective period for the Ports of Houston and Galveston security zones published May 1, 2002. This change will extend the effective period for the established security zones until October 15, 2002, allowing adequate time for a proposed permanent rule to be developed through informal rulemaking. We are also amending this section to make it clear that persons and not just vessels are prohibited from entry into these security zones. This temporary rule establishes temporary moving security zones around cruise ships entering and departing the Ports of Houston and Galveston.

DATES: The amendments to § 165.T08-035 are effective on June 11, 2002. Section 165.T08-035, added at 67 FR 21578, May 1, 2002, effective April 8, 2002, until June 15, 2002 is extended and will remain in effect through 8 a.m. on October 15, 2002.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at Marine Safety Office Houston-Galveston, 9640 Clinton Drive, Galena Park, TX, 77547 between 8 a.m. and 3:30 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant Junior Grade (LTJG) George Tobey, Marine Safety Office Houston-Galveston, Texas, Port Waterways Management, at (713) 671-5100.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On May 1, 2002, we published a temporary final rule entitled "Security Zones; Ports of Houston and Galveston, TX" in the **Federal Register** (67 FR 21576). The effective period for this rule was from April 8, 2002 until June 15, 2002.

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553 (b) (B), the Coast Guard finds that good cause exists for not publishing an NPRM. The original temporary final rule was immediately required to respond to the security concerns associated with cruise ship transits. It was anticipated that we would assess the security environment at the end of the effective period to determine whether continuing security measures were required. We have determined that the need for a continued security zone exists and elsewhere in today's issue of the **Federal Register**, we have published a