

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 2002-SW-57-AD; Amendment 39-13134; AD 2003-09-05]

RIN 2120-AA64

**Airworthiness Directives; Schweizer Aircraft Corporation Model 269D Helicopters**

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) for Schweizer Aircraft Corporation (Schweizer) Model 269D helicopters. This action requires inspecting each aluminum horizontal stabilizer endplate (endplate) and the attach angles for cracks, fretting, and endplate bending. If fretting is found, as indicated by a powder residue adjacent to a rivet head, installing an inspection hole in the horizontal stabilizer and inspecting the internal structure is required. Replacing unairworthy parts is required before further flight. Finally, reporting any cracked or bent endplate, any cracked attach angles, or fretting to the FAA is required. This amendment is prompted by reports of loose endplates, and one report of an endplate separating from the helicopter during flight. The actions specified in this AD are intended to prevent loss of an endplate during flight, which could strike the tail rotor and result in loss of control of the helicopter.

**DATES:** Effective May 16, 2003.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 16, 2003.

Comments for inclusion in the Rules Docket must be received on or before June 30, 2003.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2002-SW-57-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](mailto:9-asw-adcomments@faa.gov).

The service information referenced in this AD may be obtained from Schweizer Aircraft Corporation, P.O. Box 147, Elmira, New York 14902. This information may be examined 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.

**FOR FURTHER INFORMATION CONTACT:**

George Duckett, Aviation Safety Engineer, FAA, New York Aircraft Certification Office, Airframe and Propulsion Branch, 10 Fifth Street, 3rd Floor, Valley Stream, New York, telephone (516) 256-7525, fax (516) 568-2716.

**SUPPLEMENTARY INFORMATION:** This amendment adopts a new AD for Schweizer Model 269D helicopters. This action requires inspecting each aluminum endplate and the attach angles for cracks, fretting, and endplate bending before further flight, and thereafter at each 100-hour inspection. Installing an inspection hole in the horizontal stabilizer and inspecting the internal structure is required before further flight if fretting is found, as indicated by a powder residue adjacent to a rivet head. If no powder residue is found, then installing an inspection hole is required at the next 100-hour inspection. Replacing unairworthy parts is required before further flight. Schweizer Basic Handbook of Maintenance Instructions (HMI), dated December 9, 2002, pertains to the subject of this AD. Section 11 of the HMI describes the inspection and replacement procedures. Reporting any cracked or bent endplate, any cracked attach angles, or fretting to the FAA is required within one day of the inspection. The report must include the helicopter model, configuration, and serial number; description of the damage; the TIS of the damaged part; and the TIS since the last 100-hour TIS inspection. This amendment is prompted by reports of loose endplates, and one report of an endplate separating from the helicopter during flight. There are two types of endplates currently in service: an aluminum honeycomb endplate, part number (P/N) 269D3413-11, and a fiberglass honeycomb endplate, P/N 269D3413-13. The reports of difficulties have been limited to the aluminum endplates. The actions specified in this AD are intended to prevent loss of an endplate during flight, which could strike the tail rotor and result in loss of control of the helicopter.

The FAA has reviewed Schweizer Service Bulletin No. DB-011.1, dated March 20, 2003, which describes procedures for inspecting the horizontal stabilizer, endplate, and attach angles,

and installing an inspection hole in the horizontal stabilizer.

This unsafe condition is likely to exist or develop on other helicopters of the same type design. Therefore, this AD is being issued to prevent loss of an endplate during flight, which could strike the tail rotor and result in loss of control of the helicopter. This AD requires inspecting each aluminum endplate for a crack or bending, and inspecting each attach angle for cracks or fretting. If fretting is found, as indicated by a powder residue adjacent to a rivet head, installing an inspection hole in the horizontal stabilizer and inspecting the internal structure is required. Replacing unairworthy parts is required before further flight. Finally, reporting any cracked or bent endplate, any cracked attach angles, or fretting to the FAA is required within one day of the inspection. The report must include the helicopter model, configuration, and serial number; the TIS of the damaged part; and the TIS since the last 100-hour TIS inspection. The actions must be accomplished in accordance with the service bulletin described previously. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability and structural integrity of the helicopter. Therefore, inspecting the horizontal stabilizer, endplate and attach angles and replacing parts, if necessary, is required before further flight and this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

The FAA estimates that 22 helicopters will be affected by this AD, that it will take approximately: 0.5 work hour to inspect the exterior of the horizontal stabilizer and endplate; 0.5 work hour to inspect the interior of the horizontal stabilizer; 1.5 work hours to cut an inspection hole and make a cover plate; and 4.5 work hours to replace a rib, two angles, a doubler, and an endplate. The average labor rate is \$60 per work hour. Required parts will cost approximately \$20 for the access cover and \$1,380 per side for the rib, two angles, doubler, endplate, and fasteners, per helicopter. Based on these figures, and assuming 7 helicopters (approximately one-third of the inspected helicopters) will require one endplate replacement on one side, the total cost impact of the AD on U.S. operators is estimated to be \$15,290.

## 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 comments 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 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. 2002-SW-57-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, 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:

#### 2003-09-05 Schweizer Aircraft

**Corporation:** Amendment 39-13134.  
Docket No. 2002-SW-57-AD.

**Applicability:** Model 269D helicopters, serial numbers 0001 through 0022, with an aluminum horizontal stabilizer endplate (endplate), part number (P/N) 269D3413-11, 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 (e) 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.

**Note 2:** There are two types of endplates currently in service: an aluminum honeycomb endplate, part number (P/N) 269D3413-11, that is approximately 0.2 inches thick, and a fiberglass honeycomb endplate, P/N 269D3413-13, that is approximately 0.3 inches thick.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent loss of an endplate during flight, which could strike the tail rotor and result in loss of control of the helicopter, accomplish the following:

(a) Before further flight, and thereafter at each 100-hour inspection, inspect each endplate and the attach angles in accordance

with the Procedure, Part I, of Schweizer Service Bulletin No. DB-011.1, dated March 20, 2003 (SB).

(1) If an endplate is bent or a crack is found in an endplate or an attach angle, before further flight, replace the attach angles and tip rib with new, airworthy parts and replace the endplate with a new, airworthy endplate, P/N 269D3413-13.

(2) If fretting is found, as indicated by a powder residue adjacent to a rivet head in an attach angle, before further flight:

(i) Install an inspection hole in the bottom of the horizontal stabilizer in accordance with the Procedure, Part II, of the SB,

(ii) Inspect the internal structure of the horizontal stabilizer, and

(iii) Replace all unairworthy parts.

**Note 3:** Schweizer Basic Handbook of Maintenance Instruction (HMI), dated December 9, 2002, pertains to the subject of this AD.

(b) If no powder residue is found, install an inspection hole in the bottom of the horizontal stabilizer in accordance with the Procedure, Part II, of the SB at the next 100-hour inspection.

(c) If a cracked or bent endplate, any cracked attach angles, or fretting is found, report that damage to the FAA, ATTN: George Duckett, within one day. Reports may be faxed to (516) 568-2716, or emailed to [george.duckett@faa.gov](mailto:george.duckett@faa.gov). Report the helicopter model, configuration, serial number, description of the damage, the TIS of the damaged part, and the TIS since the last 100-hour TIS inspection.

(d) Information collection requirements contained in this AD have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120-0056.

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

**Note 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the NYACO.

(f) 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.

(g) The inspections and modifications, if necessary, shall be done in accordance with Schweizer Service Bulletin No. DB-011.1, dated March 20, 2003. 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 Schweizer Aircraft Corporation, P.O. Box 147, Elmira, New York 14902. 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 1700, Washington, DC.

(h) This amendment becomes effective on May 16, 2003.

Issued in Fort Worth, Texas, on April 22, 2003.

**Mark R. Schilling,**

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

[FR Doc. 03-10507 Filed 4-30-03; 8:45 am]

BILLING CODE 4910-13-P

## SOCIAL SECURITY ADMINISTRATION

### 20 CFR Parts 404 and 416

[Regulations No. 4 and 16]

RIN 0960-AF79

#### Claimant Identification Pilot Projects

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Final rules.

**SUMMARY:** We are revising our regulations that pertain to the processing of initial claims for disability benefits under title II (Social Security Disability Insurance) and title XVI (Supplemental Security Income) of the Social Security Act (the Act). We will be conducting pilot projects wherein we will request photographic identification from individuals filing for title II and title XVI disability and blindness benefits in specified geographic areas covered by the pilot projects. In addition, we will require individuals to allow us to take their photograph and we will make these photographs a part of the claims folder. We will permit an exception to the photograph requirement when an individual has a sincere religious objection. This process will strengthen the integrity of the disability claims process by helping to ensure that the individual filing the application is the same individual examined by the consultative examination (CE) physician.

**DATES:** These regulations are effective May 31, 2003.

*Electronic Version:* The electronic file of this document is available on the date of publication in the **Federal Register** at [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html). It is also available on the Internet site for SSA (*i.e.*, Social Security Online) at [ssa.gov](http://ssa.gov).

**FOR FURTHER INFORMATION CONTACT:**

Martin Sussman, Regulations Officer, Office of Regulations, 100 Altmeyer Building, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, [regulations@ssa.gov](mailto:regulations@ssa.gov), 410-965-1767 or TTY 410-966-5609 for

information about these rules. For information on eligibility or filing for benefits: call our national toll-free numbers, 1-800-772-1213 or TTY 1-800-325-0778 or visit our Internet web site, Social Security Online, at [ssa.gov](http://ssa.gov).

**SUPPLEMENTARY INFORMATION:**

#### Purpose of the Pilot Projects

The purpose of the claimant identification pilots is to test and gather information in the use of photographic identification to address the issue of complicit impersonation in the disability claims process. Complicit impersonation is accomplished when an individual, posing as the intended claimant, and with the consent of the claimant, responds to a consultative examination appointment in order to misrepresent the claimant's true medical condition or provides false or misleading information that affects eligibility during interviews with SSA field office employees. SSA and the Office of the Inspector General (OIG) have noticed an upward trend in the number of such instances. It has become apparent that we need to strengthen our procedures for identity verification. We believe that the technology for the photographic identification process is currently available and could be implemented over a short time frame. The photographic identification process should give SSA an economical yet effective means of providing improved identity documents to CE physicians. We anticipate that it will be readily accepted by the public. We will evaluate the results of the pilot and expand or modify the procedures accordingly.

#### How We Will Conduct the Pilot Projects

We propose to conduct the pilots in the following designated geographic areas:

- (1) All SSA field offices in the State of South Carolina.
- (2) The Augusta, Georgia SSA field office.
- (3) All SSA field offices in the State of Kansas.
- (4) Selected SSA field offices located in New York City.

The pilots will be in effect for a six-month period of time and will begin no earlier than the first day of the month following the month that the rules become effective.

#### Who Will Be Affected

Individuals filing for title II and/or title XVI disability or blindness benefits at a Social Security office in the designated areas noted above will be required to participate in the claimant identification pilots. Individuals filing via the Internet or by telephone will also

be included. We will be monitoring any possible impact that the pilot procedures might have on SSA's initiative to encourage the filing of applications online via the Internet.

#### Providing Photographic Identification

While not part of the regulatory requirement, each individual will be asked to provide some form of photographic identification. This identification will be photocopied and the copy made a part of the SSA claims folder. SSA personnel will continue to follow regular identification procedures by asking the individuals questions based on information in the SSA database to ensure that the individuals are who they hold themselves out to be. SSA personnel will obtain additional identifying information if there is a doubt about the identity of the individual. If the individual does not have photographic identification available or does not wish to provide it to us, SSA personnel will not require it but will still follow regular identification procedures as before the pilots went into effect.

#### Photographs Taken by SSA

Also as part of the claimant identification pilots, each individual filing for disability or blindness benefits at a location participating in the pilot program will be required to have a photograph taken by SSA personnel, regardless of whether the individual provides the photographic identification discussed above. A copy will be made of this image and placed in the SSA claims folder. Images will also be stored electronically and accessed by authorized SSA and Disability Determination Service (DDS) personnel.

#### If We Request a Consultative Examination

If DDS personnel request a consultative examination for the individual, a hard copy image of the photograph will be made available to the person conducting the CE. This will help to determine whether the individual presenting himself or herself for examination is the same individual who presented himself or herself as the individual filing for disability or blindness benefits. We will ask the CE physician to copy the individual's own photographic identification when the physician was not provided with a photo or a copy of a photographic identification previously taken by SSA personnel.