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 proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting 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.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

Eurocopter France: Docket No. 2002–SW–45–AD.

Applicability: Model AS332C, L, and L1 helicopters, with main gearbox bevel gear (bevel gear), part numbers (P/N) 332A32–2027–00 or 332A32–2026–00, containing bevel gears, P/N 332A32–2181–00, –01, –02, –03, or –04, or 331A32–3110–07, –08, –09, or –19, installed, certificated in any category. This AD does not apply to:

- Main gearboxes that were overhauled after December 31, 2002;
- Parts inspected in accordance with AS332 letter to Repair Stations No. 183; or
- Parts repaired in accordance with Repair Sheet (F.R.) 332A32–2181–ZA or 331A32–3110–ZA.

Compliance: Required as indicated, unless accomplished previously.

To detect a bevel gear crack and prevent failure of the bevel gear, loss of torque to the main rotor system, and subsequent loss of control of the helicopter, accomplish the following:

(a) For bevel gears that have more than 6,600 hours time-in-service (TIS), within 50 hours TIS and thereafter at intervals not to exceed 150 hours TIS, or at intervals not to exceed 1,000 frequent torque variation cycles, whichever occurs first, inspect for a crack using a boroscope in accordance with the Operational Procedure, paragraph 2.B.1. and 2.B.2. of Eurocopter Telex No. 05.00.58 R2, dated February 3, 2003. A frequent torque variation cycle is each landing or external load operation beginning at the point when there are 4 or more landings, or 4 or more external load operations, or any combination of 4 or more landings and external load operations in any 60 minute time period, and ending when any combination of landings and external load operations is less than 4 in any 60 minute time period.

(b) If a crack is found in the bevel gear, before further flight, replace the bevel gear with an airworthy bevel gear.

(c) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Contact the Safety Management Group, Rotorcraft Directorate, FAA, for information about previously approved alternative methods of compliance.

Note: The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD 2002–424–081(A) R2, dated March 19, 2003.

Issued in Fort Worth, Texas, on September 8, 2003.

David A. Downey,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 03–23835 Filed 9–17–03; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003–SW–24–AD]

RIN 2120–AA64

Airworthiness Directives; Eurocopter France Model AS355E, F, F1, F2, and N Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes adopting a new airworthiness directive (AD) for the specified Eurocopter France (Eurocopter) model helicopters. This proposal would revise the Limitations section of the Rotorcraft Flight Manual (RFM) to prohibit using the landing light except for landing and takeoff until the 40 amp 10 P1 and 10P2 contactors are replaced with 50 amp circuit breakers. Also, this proposal would require upgrading the electrical master boxes. This proposal is prompted by three reports of complete loss of electrical power generating systems, except for the direct battery power, due to a combination of high outside temperature and long flight duration with the landing light on that causes the nontemperature compensated trip switches to prematurely trip. The actions specified by the proposed AD are intended to prevent failure of the helicopter power generator systems, loss of the use of flight instruments, and subsequent loss of control of the helicopter.

DATES: Comments must be received on or before November 17, 2003.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2003–SW–24–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.* Comments may be inspected at the Office of the Regional Counsel between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Carroll Wright, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations and Guidance Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5120, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this document may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this

proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their mailed comments submitted in response to this proposal must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 2003–SW–24–AD.'' The postcard will be date stamped and returned to the commenter.

Discussion

The Direction Generale De L'Aviation Civile (DGAC), the airworthiness authority for France, notified the FAA that an unsafe condition may exist on the specified Eurocopter model helicopters. The DGAC advises of three reports of complete electrical power failure, except direct battery power, that occurred during flights with high outside air temperature (above 25 degrees Celsius) and use of the landing light for more than 1 hour. The failures were due to the disengagement of 40-ampere (amp) contactors (trip switches MP 1648) in the electrical power systems below their nominal threshold. These trip switches are not temperature compensated and accordingly may trip based on the internal temperature of the electrical master boxes.

Eurocopter has issued Service Telex No. 25.00.63, dated August 2, 2000 (Telex), specifying to not use the landing light outside the landing and takeoff phases and Alert Service Bulletin No. 24.00.14, dated November 28, 2002 (ASB), specifying an upgrade of the electrical master boxes on or before August 1, 2003. The DGAC classified these service bulletins as mandatory and issued AD Nos. 2000–339–060(A), dated August 23, 2000; 2000–339–060(A) R1, dated September 6, 2000; and 2000–339–060(A) R2, dated December 24, 2002, to ensure the continued airworthiness of these helicopters in France.

These helicopter models are manufactured in France and are type certificated for operation in the United States under the provisions of 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 these type designs that are certificated for operation in the United States.

On July 10, 2002, the FAA issued a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs the FAA's AD system. The regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. Because we have now included this material in part 39, we no longer need to include it in each individual AD.

This previously described unsafe condition is likely to exist or develop on other Eurocopter model helicopters of these same type designs registered in the United States. Therefore, the proposed AD would require temporarily revising the Limitations section of the RFM to prohibit use of the landing light except for landing and takeoff by making pen and ink changes or adding a copy of this AD to the RFM. The proposed AD would also require, within 6 months, or before the next instrument flight rule (IFR) flight, whichever occurs first, replacing nontemperature compensated 40-amp contactors 10P1 and 10P2 with temperature compensated 50-amp circuit breakers. These actions would be required to be accomplished in accordance with the service bulletin described previously.

The FAA estimates that this proposed AD would:

- Affect 442 helicopters of U.S. registry,
- Take ½ work hour per helicopter to add information to the Limitations section of the RFM, and
- Take 4 hours to upgrade the electrical boxes.

The average labor rate is $65 per work hour. The required parts would cost approximately $1707. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $883,779.

The regulations proposed herein would 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 proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting 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.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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:

Eurocopter France: Docket No. 2003–SW–24–AD.

Applicability: Model AS355E, F, F1, F2, and N helicopters, certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the electrical power generating systems, loss of the use of flight instruments, and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight and until you replace the circuit breakers in accordance with paragraph (b) of this AD, revise the Limitations section of the Rotorcraft Flight Manual (RFM) to prohibit use of the landing light except for the landing and takeoff phases of flight by making pen and ink changes, or inserting a copy of this AD into the Limitations section of the RFM.

Note 1: Eurocopter France Service Telex 25.00.63, dated August 2, 2000, pertains to the subject of this AD.

(b) Within 6 months or before the next instrument flight rule (IFR) operation, whichever occurs first, upgrade the electrical master boxes and replace the nontemperature compensated 40-amp contactors (circuit breakers) 10P1 and 10P2 with temperature compensated 50-amp circuit breakers, part number P/N 84–306–050 (B) or 5TC50–50 (C), in accordance with the Accomplishment Instructions, paragraph 2.B, of Eurocopter Alert Service Bulletin No. 24.00.14, dated November 28, 2002.

(c) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Contact the Manager, Safety Management Group, Rotorcraft Directorate, FAA, for information about previously approved alternative methods of compliance.

Note 2: The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) ADs 2000–339–060(A) dated August 23, 2000; 2000–339–060(A) R1, dated September 6, 2000; and 2000–339–060(A) R2, dated December 24, 2002.

Issued in Fort Worth, Texas, on September 9, 2003.

Scott A. Horn,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 03–23834 Filed 9–17–03; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2002–NM–213–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model 717–200 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model 717–200 airplanes. This proposal would require inspection of the inboard ends of the outer skin panels of the horizontal stabilizer at Station Xh=+/−7.234 for material defects, and corrective action, if necessary. This action is necessary to detect material defects in the inboard ends of the outer skin panels of the horizontal stabilizer, which could lead to cracks and an associated loss of strength in the attachments, and consequent reduced structural integrity of the horizontal stabilizer. This action is intended to address the identified unsafe condition.

DATES: Comments must be received by November 3, 2003.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2002–NM–213–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: *9–anm–nprmcomment@faa.gov.* Comments sent via fax or the Internet must contain ''Docket No. 2002–NM–213–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 or 2000 or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1–L5A (D800–0024). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Maureen Moreland, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5238; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this action may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (*e.g.*, reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this action must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 2002–NM–213–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2002–NM–213–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received a report indicating that the manufacturer of the horizontal stabilizer failed to ultrasonically inspect the inboard ends of the outer skin panels of the horizontal stabilizer at Station Xh=+/−7.234 for material defects during manufacture of certain McDonnell Douglas 717–200 airplanes. Undetected defects in the material in the inboard ends of the outer skin panels of the horizontal stabilizer could lead to cracks and an associated loss of strength in the attachments. Cracks in the inboard ends of the outer skin panels of the horizontal stabilizer and an associated loss of strength in the attachments could lead to reduced structural integrity of the horizontal stabilizer.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Service Bulletin 717–55–0005, dated June 27, 2002. The service bulletin describes procedures for performing an ultrasonic inspection of the inboard ends of the outer skin panels of the horizontal stabilizer at Station Xh=+/−7.234 for material defects, and for contacting Boeing for repair instructions. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

Differences Between Proposed Rule and Service Bulletin

Although the service bulletin specifies that operators may contact the manufacturer for disposition of certain defect conditions, this proposed AD would require operators to repair those conditions per a method approved by