

3. The head must not become entrapped in the seat back opening created by the articulating seat back, during any testing conducted to demonstrate compliance with §§ 25.562 and 25.785(b), and these special conditions. The head must also not become entrapped in the seat back opening during any other foreseeable operating conditions.

4. The HIC must not exceed 1,000 units for any obvious protrusions or recessed areas of the seat back opening (i.e., bottom lip of the seat back opening). The anthropomorphic test device (ATD) must come in contact with these protrusions or recessed areas of the seat back opening.

Issued in Renton, Washington, on October 23, 1998.

**John J. Hickey,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 98-29626 Filed 11-4-98; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-SW-36-AD; Amendment 39-10868; AD 98-23-04]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter France Model AS 332C, L, and L1 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to Eurocopter France Model AS 332C, L, and L1 helicopters that requires replacing main rotor blades with modified main rotor blades. This amendment is prompted by reports of an investigation that found broken braids on main rotor blade de-icers. The actions specified by this AD are intended to prevent loss of deicing capabilities of the main rotor blades, adverse performance during flight in icing conditions, and subsequent loss of control of the helicopter.

**DATES:** Effective December 10, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 10, 1998.

**ADDRESSES:** The service information referenced in this AD may be obtained from American Eurocopter Corporation,

2701 Forum Drive, Grand Prairie, Texas 75053-4005. 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:** Mr. Robert McCallister, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5121, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to Eurocopter France Model AS 332C, L, and L1 helicopters was published in the **Federal Register** on May 7, 1998 (63 FR 25182). That action proposed to require replacing main rotor blades with modified main rotor blades.

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 the adoption of the rule as proposed except for a change in the Technical Instructions referenced from number 230b to 230c. This change was made because the new Technical Instructions add a clarifying note and figure useful in accomplishing the requirements of this AD. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

The FAA estimates that 3 helicopters of U.S. registry will be affected by this AD, that it will take approximately 20 work hours per helicopter to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will be provided at no cost by the manufacturer. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$3600 per helicopter.

The regulations adopted herein will not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 a new airworthiness directive to read as follows:

#### AD 98-23-04 Eurocopter France:

Amendment 39-10868. Docket No. 97-SW-36-AD.

**Applicability:** Model AS 332C, L, and L1 helicopters, with main rotor blades, part number (P/N) 332A11-030-03 or 332A11-030-04, 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 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 use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

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

To prevent loss of the de-icing capabilities of the main rotor blades, adverse performance during flight in icing conditions, and subsequent loss of control of the helicopter, accomplish the following:

- (a) From available helicopter records, within the next 10 calendar days, determine the time-in-service (TIS) on each main rotor blade.
- (b) Replace each main rotor blade with a main rotor blade that has been modified and reidentified in accordance with Eurocopter Technical Instruction Number 230c, approved May 17, 1995, in accordance with the following schedule:
  - (1) If the TIS is equal to or greater than 2,000 hours, replace within the next 50 hours TIS.
  - (2) If the TIS is equal to or greater than 1,850 hours and less than 2,000 hours, replace on or before attaining 2,050 hours TIS.
  - (3) If the TIS is equal to or greater than 1,500 hours and less than 1,850 hours, replace within the next 200 hours TIS.
  - (4) If the TIS is equal to or greater than 1,400 hours and less than 1,500 hours, replace on or before attaining 1,700 hours TIS.
  - (5) If the TIS is greater than 700 hours and less than 1,400 hours, replace within the next 300 hours TIS.
  - (6) If the TIS is equal to or less than 700 hours, replace within the next 1,000 hours TIS.
- (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, Rotorcraft Standards Staff, FAA, Rotorcraft Directorate. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.
 

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Standards Staff.
- (d) 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 helicopter to a location where the requirements of this AD can be accomplished.
- (e) The main rotor blade replacements shall be done in accordance with Eurocopter Technical Instruction Number 230 c approved May 17, 1995. 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 American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. 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 700, Washington, DC.
- (f) This amendment becomes effective on December 10, 1998.

**Note 3:** The subject of this AD is addressed Direction Generale De L'Aviation Civile (France) AD 95-029-054(B), dated February 1, 1995.

Issued in Fort Worth, Texas, on October 27, 1998.

**Eric Bries,**

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

[FR Doc. 98-29377 Filed 11-4-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-SW-43-AD; Amendment 39-10867; AD 98-23-03]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter France Model SA 330F, G, and J Helicopters

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to Eurocopter France Model SA 330F, G, and J helicopters, that requires removing and replacing each tail rotor electrical bonding braid (bonding braid). This amendment is prompted by an in-service report of the failure of a bonding braid. The actions specified by this AD are intended to prevent failure of a bonding braid due to fatigue, resulting impact with the tail rotor blades, and subsequent loss of control of the helicopter.

**DATES:** Effective December 10, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 10, 1998.

**ADDRESSES:** The service information referenced in this AD may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. 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:** Mr. Robert McCallister, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas

76137, telephone (817) 222-5121, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to Eurocopter France Model SA 330F, G, and J helicopters, was published in the **Federal Register** on May 7, 1998 (63 FR 25180). That action proposed to require removal and replacement of each tail rotor electrical bonding braid.

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 required the adoption of the rule as proposed, except for non-substantive editorial changes. Additionally, the part number as published in the Applicability section of the NPRM contained an extra "0". This has been corrected in this final rule. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

The FAA estimates that 2 helicopters of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per helicopter to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$250 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$740.

The regulations adopted herein will not have substantial direct effects 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, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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