

(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, Rotorcraft Standards Staff, 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, Rotorcraft Standards Staff.

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

(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 helicopter to a location where the requirements of this AD can be accomplished.

(d) This amendment becomes effective on November 18, 1999.

Note 4: The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD's 98-383-044(A) for the Model SA-365C, 98-382-024-(A) for the Model SA-366, and 98-384-047(A) for the Model AS-365N helicopters. These AD's are all dated September 23, 1998.

Issued in Fort Worth, Texas, on October 5, 1999.

Mark R. Schilling,

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

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-SW-29-AD; Amendment 39-11370; AD 99-21-25]

RIN 2120-AA64

Airworthiness Directives; Eurocopter France Model SE.3160, SA.315B, SA.316B, SA.316C, and SA.319B Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) applicable to Eurocopter France Model SE.3160, SA.315B, SA.316B, SA.316C, and SA.319B helicopters with a main gearbox (MGB), all part numbers, not modified in accordance with MOD 072241. This action requires, prior to further flight and thereafter prior to the first flight of each day, inspecting the MGB magnetic plug for metal particles. This AD also requires inspecting the MGB oil filter for metal particles. This amendment is prompted by the failure of a bevel wheel gear attachment bolt

(bolt) during testing of an SA.315B MGB. The actions specified in this AD are intended to detect a condition that could cause bolt failure and damage to the MGB, resulting in loss of drive to the main rotor and subsequent loss of control of the helicopter.

DATES: Effective October 29, 1999.

Comments for inclusion in the Rules Docket must be received on or before December 13, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99-SW-29-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

FOR FURTHER INFORMATION CONTACT:

Shep Blackman, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5296, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION: The Direction Generale De L'Aviation Civile (DGAC), the airworthiness authority for France, notified the FAA that an unsafe condition may exist on Model SE.3160, SA.315B, SA.316B, SA.316C, and SA.319B helicopters with a MGB, all part numbers, not modified in accordance with MOD 072241. The DGAC advises that bolt failure, which occurred when testing an SA.315B MGB, could lead to damage of the MGB and loss of rotor drive.

These helicopter models are manufactured in France and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (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.

An unsafe condition has been identified that is likely to exist or develop on other Model SE.3160, SA.315B, SA.316B, SA.316C, and SA.319B helicopters with a MGB, all part numbers, not modified in accordance with MOD 072241 of the same type design registered in the United States. Therefore, this AD is being issued to detect a condition that could cause bolt failure and damage to the MGB. This AD requires inspecting the MGB magnetic plug for metal particles prior to further flight and prior

to the first flight of each day. This AD also requires inspecting the MGB oil filter for metal particles at intervals not to exceed 25 hours time-in-service. The actions are required to be accomplished in accordance with the applicable maintenance manuals. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the helicopter. Therefore, inspecting the MGB magnetic plug for metal particles is required prior to 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 93 helicopters will be affected by this AD, that it will take approximately 0.25 work hour to inspect the magnetic plug prior to the first flight of each day and 2 work hours to inspect the oil filter every 25 hours TIS, 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 \$318,060 annually, assuming any metal particles found are not enough to require a cleaning or an overhaul of the MGB and that each helicopter is flown 100 days per year for 4 hours each day.

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, both before

and after the closing date for comments, 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. 99-SW-29-AD." The postcard will be date stamped and returned to the commenter.

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.

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:

AD 99-21-25 Eurocopter France:

Amendment 39-11370. Docket No. 99-SW-29-AD.

Applicability: Model SE.3160, SA.315B, SA.316B, SA.316C, and SA.319B helicopters with a main gearbox, all part numbers, not modified in accordance with MOD 072241, 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 (d) 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 condition that could cause failure of a bevel wheel gear attachment bolt (bolt) and damage to the main gearbox (MGB), resulting in loss of drive to the main rotor and subsequent loss of control of the helicopter, accomplish the following:

(a) Prior to further flight and thereafter prior to the first flight of each day, inspect the MGB magnetic plug for metal particles. If metal particles are found, comply with the instructions in the applicable maintenance manual.

(b) At intervals not to exceed 25 hours time-in-service, inspect the MGB oil filter for metal particles. If metal particles are found, comply with the instructions in the applicable maintenance manual.

Note 2: Work Card 5.41.202 pertains to the subject of this AD.

(c) Modification of the MGB by MOD 072241 is terminating action for the requirements of this AD.

(d) 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. 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, Rotorcraft Directorate.

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

(e) Special flight permits are prohibited.

(f) This amendment becomes effective on October 29, 1999.

Note 4: The subject of this AD is addressed in Direction Generale De L'Aviation Civile

(France) AD 98-304-058(A) for Model SE.3160, SA.316B, SA.316C, and SA.319B helicopters, and AD 98-303-041(A) for Model SA.315B helicopters, both dated July 29, 1998.

Issued in Fort Worth, Texas, on October 5, 1999.

Mark R. Schilling,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

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DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Parts 47 and 55

[T.D. ATF-419; Ref: T.D. ATF-387 and Notice No. 847]

RIN: 1512-AB63

Implementation of Public Law 104-132, the Antiterrorism and Effective Death Penalty Act of 1996, Relating to the Marking of Plastic Explosives for the Purpose of Detection (96R-029P)

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule implements certain provisions of the Antiterrorism and Effective Death Penalty Act of 1996 (Pub. L. 104-132). These regulations implement the law by requiring detection agents for plastic explosives. The final rule also authorizes the use of four specific detection agents to mark plastic explosives and provides for the designation of other detection agents.

DATES: This rule is effective December 13, 1999.

FOR FURTHER INFORMATION CONTACT: James P. Ficaretta, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, DC 20226 (202-927-8230).

SUPPLEMENTARY INFORMATION:

Background

Public Law 104-132, 110 Stat. 1214, the Antiterrorism and Effective Death Penalty Act of 1996 (hereafter, "the Act") was enacted on April 24, 1996. Title VI of the Act, "Implementation of Plastic Explosives Convention," added new requirements to the Federal explosives laws in 18 U.S.C. Chapter 40. Section 607 of the Act states that, except as otherwise provided, the amendments made by Title VI shall take effect 1 year after the date of enactment, i.e., on April