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**SUPPLEMENTARY INFORMATION:** On March 21, 2000, the FAA issued AD 2000-06-10, Amendment 39-11651 (65 FR 16804, March 30, 2000), to require preflight checking and repetitively inspecting the tailboom for a crack and replacing the tailboom if a crack is found. That action was prompted by four reports of cracks on the tailboom in the area of the horizontal stabilizer. The requirements of that AD were intended to prevent separation of the tailboom and subsequent loss of control of the helicopter. Next, a proposal to amend 14 CFR part 39 to include an AD for Bell Model 407 helicopters was published in the **Federal Register** on January 31, 2002 (67 FR 4685). That NPRM would have required preflight checking and repetitively inspecting for a crack in certain tailbooms that have not been redesigned and replacing the tailboom if a crack is found. It further proposed that installing tailboom, P/N 407-030-801-201, would constitute terminating action for the requirements of that AD.

Since the issuance of that NPRM on January 31, 2002 (67 FR 4685), the manufacturer has issued Bell Helicopter Textron Alert Service Bulletin (ASB) No. 407-99-26, Revision C, dated February 28, 2002, that addresses inspection procedures for certain tailbooms. The manufacturer also issued Bell Helicopter Textron ASB No. 407-01-48, Revision B, dated April 25, 2002, that details the modification and re-identification of those certain tailbooms, assigns a life limit, and details new inspection procedures for those re-identified tailbooms. Additionally, ASB 407-01-48 assigns a life limit and details new inspection procedures for another part-numbered tailboom that was modified by the manufacturer. Further, in addition to the redesigned tailboom, P/N 407-030-801-201, referenced in the NPRM, Bell has at least one additional redesigned tailboom, P/N 407-030-801-203, for these helicopters. Transport Canada, which is the airworthiness authority for Canada, has issued a revised AD No. CF-1999-17R2, dated April 5, 2002, to address these changed requirements.

After reviewing comments received in response to that proposal as well as updated service information from the manufacturer, on November 14, 2002 (67 FR 68952), the FAA published a supplemental notice in the **Federal Register** to propose mandating daily pre-flight checks and initial 25-hour TIS inspections with recurring 50 hour TIS

inspections for the tailbooms, P/N 407-030-801-101 and -105, until they are modified and re-identified. Once modified and re-identified as P/N 407-530-014-101 and -103, respectively, the FAA proposed to mandate the 150-hour TIS inspection and assign a 5,000-hour TIS life limit. The 150-hour TIS inspection and 5,000 hour life limit also applies to the tailboom, P/N 407-030-801-107. Additionally, the cite to tailboom, P/N 407-030-801-201, as a terminating action was removed since the installation of other redesigned tailbooms may also effectively remove a helicopter from the applicability of this proposal, thereby constituting a terminating action for the requirements of this AD.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Two commenters state that the instructions need to be clear regarding the assignment of the life limit. The FAA agrees and has changed paragraph (d) of the AD to clarify the tailboom life limit. For the modified tailbooms, P/N 407-530-014-101 and P/N 407-530-014-103, 5,000 hours TIS since modified and installed is the life limit. The life limit for tailboom, P/N 407-030-801-107, is 5,000 hours since new (initially installed on any helicopter).

One commenter states that the proposed compliance date may be too short. Additionally, the commenter points out an incorrect reference in the preamble discussion to the part number tailboom cited for use as a terminating action. The FAA agrees; P/N 407-030-801-101 cited in the discussion should have been P/N 407-030-801-201. Also, the FAA agrees that the compliance time was too short. Because the compliance time cited in the proposal was "January 31, 2003" and that date has passed, the required compliance time for paragraph (c) of the AD is changed to "within 30 days."

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes described previously. 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 284 helicopters of U.S. registry will be affected by this AD, that it will take approximately 3.5 work hours per helicopter to accomplish the initial inspections, 1.5 work hours per helicopter to accomplish the recurring

inspections, and 18 work hours per helicopter to accomplish the modification, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$1,244 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$3,254 per helicopter, or \$924,136, assuming all U.S. registered helicopters are required to be modified and initially inspected, and have 8 repetitive inspections per year. In its service information, under certain conditions, the manufacturer offers a "special" warranty for parts needed for modifying tailbooms, P/N 407-030-801-101 and -105, and a labor allowance of \$480.

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.