

Comments for inclusion in the Rules Docket must be received on or before June 16, 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–01–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*.

The service information referenced in this AD may be obtained from Bell Helicopter Textron Canada, 12,800 Rue de l'Avenir, Mirabel, Quebec J7J1R4, telephone (450) 437–2862 or (800) 363–8023, fax (450) 433–0272. 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:

Charles Harrison, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193–0110, telephone (817) 222–5128, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: Transport Canada, which is the airworthiness authority for Canada, notified the FAA that an unsafe condition may exist on BHTC Model 222, 222B, 222U, and 230 helicopters. Transport Canada advises that pendulum weight supports could have manufacturing discrepancies like file or grinding marks, gouges, or too small edge radius. This part, if not reworked and inspected or replaced, could fail in flight.

BHTC has issued the following alert service bulletins, all dated March 28, 2002:

- Bell Helicopter Textron (BHT) Alert Service Bulletin (ASB) 222–02–92 for Model 222 and 222B helicopters;
- BHT ASB 222U–02–63 for Model 222U helicopters; and
- BHT ASB 230–02–25 for Model 230 helicopters.

The ASBs specify inspecting the pendulum support weights and, if necessary, reworking and remarking or replacing the pendulum weight supports no later than the next scheduled 150 hours time-in-service (TIS) inspection, and prior to installation of spare supports. Transport Canada classified these ASBs as mandatory and issued AD CF–2002–33, dated July 4, 2002, to ensure the continued airworthiness of these helicopters in Canada. Transport Canada's AD requires accomplishing the

actions within 50 hours TIS, as does this AD.

These helicopter models are manufactured in Canada and are type certificated for operation in the United States under the provisions of 14 CFR 21.29 and the applicable bilateral agreement. Pursuant to the applicable bilateral agreement, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada, 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.

This unsafe condition is likely to exist or develop on other helicopters of the same type designs registered in the United States. Therefore, this AD is being issued to prevent the pendulum weights from separating and striking the vertical fin or tail rotor, and subsequent loss of control of the helicopter. This AD requires, within 50 hours TIS, inspecting each pendulum weight support, part number (P/N) 222–011–114–101 or “103, for file or grinding marks, gouges, and appropriate edge breaks. It also requires, if necessary, reworking and remarking or replacing the pendulum weight support. Regardless, this AD requires a magnetic particle inspection for a crack and replacing the pendulum weight support if a crack is found. The actions must be accomplished in accordance with the ASB's described previously. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability or structural integrity of the helicopter. Therefore, inspecting each pendulum weight support for discrepancies, reworking and remarking or replacing each pendulum weight support, if necessary, and performing a magnetic particle inspection for a crack (and replacing the pendulum weight support if a crack is found) is required within 50 hours TIS, 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 108 helicopters will be affected by this AD, that it will take approximately 10 work hours to accomplish the inspection, reworking and remarking or replacing the two pendulum weight supports, and that the average labor rate is \$60 per work hour. Required parts will cost

approximately \$1,734 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$252,072, assuming that all helicopters in the fleet will require replacing two pendulum weight supports.

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 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 mailed 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. 2003–SW–01–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