

## 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 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. 2002-SW-27-AD." The postcard will be date stamped and returned to the commenter.

## Discussion

Transport Canada, the airworthiness authority for Canada, notified the FAA that an unsafe condition may exist on Bell Model 222, 222B, and 222U helicopters with Instrument Flight Rule (IFR) kits, part number (P/N) 222-706-013, installed, and all delivered spare magnetic brakes, P/N 222-706-013, manufactured by Memcor Truohm, Inc., under P/N MP 498-3. Transport Canada advises that the stop screws, P/N MS51959-3, of the magnetic brake, P/N 204-001-376-003 (Memcor Truohm P/N MP 498-3), were installed without the proper adhesive.

Bell has issued Bell Helicopter Textron Alert Service Bulletin (ASB) No. 222-01-87, for Model 222 and 222B helicopters, and ASB No. 222U-01-58, for Model 222U helicopters, both dated January 19, 2001. Both ASB's specify a one-time inspection of the magnetic brake adjustable stop screw, P/N MS51959-3; repairing any arm assembly mechanical damage created by the screws; and installing the stop screw with the proper adhesive and adjusting the arm assembly shaft travel. Transport Canada classified these ASB's as

mandatory and issued AD No. CF-2002-17, dated March 4, 2002, to ensure the continued airworthiness of these helicopters in Canada.

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 these same type designs registered in the United States. Therefore, the proposed AD would require inspecting the adjustable stop screws of the magnetic brake assembly to ensure they are installed correctly; repairing the arm assembly, if necessary; installing the stop screw with the proper adhesive; adjusting the arm assembly travel; and applying slippage marks. The actions would be required to be accomplished in accordance with the ASB's described previously.

The FAA estimates that 92 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 3 work hours per helicopter to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$3,785. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$364,780, assuming all parts are replaced.

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:

**Bell Helicopter Textron, a Division of Textron Canada:** Docket No. 2002-SW-27-AD.

**Applicability:** Model 222, 222B, and 222U helicopters, with a magnetic brake, part number (P/N) 204-001-376-105 or 107, installed, that was manufactured by Memcor Truohm, Inc. as P/N MP498-105 or -107, 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 (b) 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 within 100 hours time in service and before installation of any affected magnetic brake, unless accomplished previously.

To detect loose adjustable stop screws, that could result in limiting the travel of the cyclic and collective arm assembly, and subsequent loss of control of the helicopter:

(a) Inspect and, if necessary, repair, adjust, and apply slippage marks to the magnetic brake assembly in accordance with the Accomplishment Instructions, paragraphs 5. through 11. in Bell Helicopter Textron Alert Service Bulletin (ASB) No. 222-01-87, applicable to Model 222 and 222B helicopters, or ASB No. 222U-01-58, applicable to Model 222U helicopters, both dated January 19, 2001, except if damage to