

manufactured by PHC, are with the affected S/N range, must be remarked, do not have sufficient cracking to warrant immediate replacement, and the rotor brake is not used until the day prior to the day that all RBDs are replaced.

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 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-06-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 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 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:

2003-04-15 Sikorsky Aircraft Corporation: Amendment 39-13064. Docket No. 2003-SW-06-AD.

Applicability: Model S-76A, B, and C helicopters, 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 prevent failure of the rotor brake disc (RBD), damage to the rotor blades and nearby hydraulic and fuel lines, and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight, determine the manufacturer of each RBD by examining the part number (P/N) markings, and perform the required actions as follows:

(1) If the P/N is 76363-09101-102, the manufacturer is Goodyear. No further action is required by this AD.

(2) If the P/N 76363-09103-102 is pressure stamped on the RBD, the manufacturer is BF Goodrich. No further action is required by this AD.

(3) If the P/N 76363-09103-102 is electrolytically etched on the RBD, the manufacturer is Parker Hannifin Corporation (PHC). For each PHC RBD with a P/N 76363-09103-102 and serial number (S/N) other than 38 through 379, remark the P/N as P/N 76363-09103-105 using the vibropeen method. No further action is required by this AD.

(4) If the RBD serial number or the manufacturer cannot be determined and for PHC RBDs with P/N 76363-09103-102 and S/N's 38 through 379, reidentify or mark the P/N as 76363-09103-104 or replace the RBD in accordance with paragraph (c) of this AD.

Note 2: Sikorsky Aircraft Corporation Alert Service Bulletin (ASB) Nos. 76-66-36, dated November 12, 2002, and ASB 76-66-37, dated January 31, 2003, pertain to the subject of this AD.

(b) Before the first flight of the next day following any day in which the RBD was used, visually inspect each RBD, P/N 76363-09103-104, for a crack, and perform the following actions. See Figure 1.

BILLING CODE 4910-13-P