

compliance with this AD, if any, may be obtained from the Rotorcraft Certification Office.

(d) 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.

Issued in Fort Worth, Texas, on October 4, 1996.

Eric Bries,

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

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## 14 CFR Part 39

[Docket No. 96-SW-04-AD]

### Airworthiness Directives; Sikorsky Aircraft-Manufactured Model S-64E Helicopters

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the superseding of an existing airworthiness directive (AD), applicable to Sikorsky Aircraft-manufactured Model S-64E and S-64F helicopters, that currently requires initial and repetitive inspections of the main gearbox assembly second stage lower planetary plate (plate) for cracks, and removal and replacement of the plate if cracks are found; and daily inspections of certain main transmission oil filter packs for magnesium chips, and removal and replacement of the main transmission if chips are found. The AD also provides for reworking and re-identifying the plate, as well as establishes a retirement life for the plate, including those that have been reworked and re-identified. This action would require, for Model S-64E helicopters, inspections and rework of the plate and establishes a new retirement life for the plate. This proposal is prompted by the type certificate holder's reports that four plates were discovered to have cracks, three of which had been reworked in accordance with the existing AD. The actions specified by the proposed AD are intended to add another plate to the applicability of the AD, remove the requirements of AD 77-20-01 for the Model S-64F and prevent failure of the plate on the Model S-64E due to fatigue cracking, which could lead to failure of the main gearbox and subsequent loss of control of the helicopter.

**DATES:** Comments must be received by December 10, 1996.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-SW-04-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas, 76137. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Erickson Air-Crane Co., 3100 Willow Springs Rd., P.O. Box 3247, Central Point, OR 97502. This information may be examined at the FAA, Office of the Assistant Chief Counsel, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

**FOR FURTHER INFORMATION CONTACT:** Mr. Uday Garadi, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Certification Office, 2601 Meacham Blvd., Fort Worth, Texas 76137; telephone (817) 222-5157, fax (817) 222-5961.

#### SUPPLEMENTARY INFORMATION:

##### 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, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice 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 comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 96-SW-04-AD." The postcard will be date stamped and returned to the commenter.

##### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the

FAA, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96-SW-04-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

##### Discussion

On September 19, 1977, the FAA issued AD 77-20-01, Amendment 39-3045 (42 FR 51565, September 29, 1977), that was subsequently revised by Amendment 39-3064 (42 FR 56600, October 27, 1977), that was issued on October 18, 1977, to require initial and repetitive inspections of the Model S-64E and S-64F plates for cracks that initiate at and radiate from the lightening holes in the plate web, and removal and replacement of the plates if cracks are found; and daily inspections of certain main transmission oil filter packs for magnesium chips, and removal and replacement of the main transmission if chips are found. The AD also provided for reworking and re-identifying the plates, as well as established a retirement life for the plates, including those that have been reworked and re-identified. That action was prompted by the manufacturer's discovery of plates with cracks in the area of the lightening holes. The requirements of that AD are intended to prevent cracking and failure of the plates.

Since the issuance of that AD, the type certificate holder, Erickson Air-Crane Co. (Erickson), reported that a cracked plate was found during the overhaul of a main gearbox assembly. Three additional cracked plates were found during inspections and maintenance of main gearboxes. These plates had been reworked in accordance with the existing AD and therefore were not subject to recurring inspections. Erickson has issued revised service bulletins for inspections of plates, P/N 6435-20229-102, that have been reworked in accordance with the existing service bulletins, and P/N 6435-20229-104, which have a total time-in-service (TIS) of 1,500 hours or more. This AD applies only to the Model S-64E helicopters because the Model S-64F helicopters utilize a different part-numbered planetary plate. The Model S-64F helicopters, with the different part-numbered planetary plates, are being addressed in a separate AD.

Since an unsafe condition has been identified that is likely to exist or develop on other Sikorsky Aircraft-manufactured Model S-64E helicopters of the same type design, the proposed AD would supersede AD 77-20-01 to require, at 1,300 hours TIS, a fluorescent magnetic particle inspection of the plate, P/N 6435-20229-102 or P/N

643520229-102-TS-107, for cracks, replacement of the plate if a crack is found, and reworking the plate if no crack is found. The proposed AD also requires, at 1,500 hours TIS, and thereafter at intervals not to exceed 70 hours TIS, for reworked plate, P/N 6435-20229-102 or P/N 6435-20229-102-TS-107, and for plate, P/N 6435-20229-104, a borescope inspection for cracks and replacement of the plate if a crack is found. Finally, these part-numbered plates are to be retired upon reaching 2,600 hours TIS.

The FAA estimates that 8 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 8 work hours per helicopter to accomplish the inspections and 56 hours to remove and replace the main gearbox assembly, if necessary, and that the average labor rate is \$60 per work hour. Required parts would cost \$8,000. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$94,720; \$3,840 to accomplish the inspections, and \$90,880 to replace the plate in the main gearbox assembly in all 8 helicopters, if necessary.

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 USC 106(g), 40113, 44701.

##### **§ 39.13 [Amended]**

2. Section 39.13 is amended by removing Amendment 39-3045 (42 FR 51565, September 29, 1977) and Amendment 39-3064 (42 FR 56600, October 27, 1977), and by adding a new airworthiness directive (AD), to read as follows:

Erickson Air-Crane Co.: Docket No. 96-SW-04-AD. Supersedes AD 77-20-01, Amendment 39-3045 and Amendment 39-3064.

*Applicability:* Sikorsky Aircraft-manufactured Model S-64E helicopters, with main gearbox assembly second stage lower planetary plate (plate), part number (P/N) 6435-20229-102, P/N 6435-20229-102-TS-107, or P/N 6435-20229-104, 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 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 use the authority provided in paragraph (d) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the plate due to fatigue cracking, which could lead to failure of the main gearbox and subsequent loss of control of the helicopter, accomplish the following:

(a) For plate, part number (P/N) 6435-20229-102 and P/N 6435-20229-102-TS-107, at 1,300 hours total time-in-service (TIS), inspect and rework or replace the plate, as appropriate, in accordance with the Accomplishment Instructions, paragraph 2A., steps (1), and (3) through (11), of Erickson Air Crane Co. Service Bulletin No. 64B35-7C, dated November 8, 1995.

(b) For plate, P/N 6435-20229-104, and for any plate, P/N 6435-20229-102, that has been reworked and identified with "TS-107", at 1,500 hours TIS and thereafter at intervals not to exceed 70 hours TIS, inspect the plate in accordance with the Accomplishment Instructions, paragraph 2B.,

step (1), of Erickson Air-Crane Co. Service Bulletin No. 64B35-7C, dated November 8, 1995. If a crack is found, replace the main gearbox assembly with an airworthy assembly.

(c) Retire the plate upon or before reaching 2,600 hours TIS. This AD revises the airworthiness limitation section of the maintenance manual by establishing a retirement life of 2,600 hours TIS for the main gearbox assembly second stage planetary plate, P/N 6435-20229-102, P/N 6435-20229-102-TS-107, and P/N 6435-20229-104.

(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, Rotorcraft Certification Office, 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 Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Certification Office.

(e) 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.

Issued in Fort Worth, Texas, on October 4, 1996.

Eric Bries,

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

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## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Food and Drug Administration**

#### **21 CFR Part 352**

[Docket No. 78N-0038]

RIN 0910-AA01

#### **Sunscreen Drug Products for Over-the-Counter Human Use; Amendment to the Tentative Final Monograph; Correction**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice of proposed rulemaking; correction.

**SUMMARY:** The Food and Drug Administration is correcting a notice of proposed rulemaking that published in the Federal Register of September 16, 1996 (61 FR 48645). The document proposed to amend the tentative final monograph (proposed rule) for over-the-counter (OTC) sunscreen drug products.