(3) Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Effective Date

(h) This amendment becomes effective on December 3, 2001.

Issued in Renton, Washington, on October 19, 2001.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 01–26952 Filed 10–26–01; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001–NM–10–AD; Amendment 39–12489; AD 2001–22–10]

RIN 2120–AA64

Airworthiness Directives; Dassault Model Mystere-Falcon 50, Mystere-Falcon 900, and Falcon 900EX Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Dassault Model Mystere-Falcon 50, Mystere-Falcon 900, and Falcon 900EX series airplanes, that requires revising the Emergency Procedures and Abnormal Procedures sections of the airplane flight manual to advise the flightcrew to immediately don oxygen masks in the event of significant pressurization or oxygen level changes. The actions specified by this AD are intended to prevent incapacitation of the flightcrew due to lack of oxygen, which could result in their inability to continue to control the airplane. This action is intended to address the identified unsafe condition.

DATES: Effective December 3, 2001.

ADDRESSES: Information pertaining to this AD may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–1137; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to all Dassault Model Mystere-Falcon 50, Mystere-Falcon 900, and Falcon 900EX series airplanes was published in the **Federal Register** on April 17, 2001 (66 FR 19727). That action proposed to require revising the Emergency Procedures and Abnormal Procedures sections of the airplane flight manual to advise the flightcrew to immediately don oxygen masks in the event of significant pressurization or oxygen level changes.

Comments

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

Request To Include Certain Changes to the Airplane Flight Manual (AFM)

The manufacturer reports the issuance of certain AFM changes, which correspond to the Figures associated with paragraphs (a) through (f) of this AD. The following AFM changes have been issued:

Figure in AD	Model/ Series	Type of change	Change No.
1	MF900	AFM routine revision	24
1	MF50	AFM routine revision	32
2	MF50	AFM routine revision	32
3	MF900	AFM routine revision	24
4	F900EX	AFM routine revision	6
5	F900C	AFM routine revision	2
6	F50EX	AFM routine revision	5

The FAA has accordingly revised the final rule to replace Note 1 of the proposed AD with new paragraph (g) of the final rule. Paragraph (g) specifies that the insertion of those AFM changes (also listed in Table 1 of this AD) into the AFM are acceptable for compliance with the corresponding requirements of this AD.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule, with the change described previously. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

The FAA estimates that 137 airplanes of U.S. registry will be affected by this AD. It will take approximately 1 work hour per airplane to accomplish the actions, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be $8,220, or $60 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

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, 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.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

2001–22–10 Dassault Aviation: Amendment 39–12489. Docket 2001–NM–10–AD.

Applicability: All Model Mystere-Falcon 50, Mystere-Falcon 900, and Falcon 900EX series airplanes; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent incapacitation of the flightcrew due to lack of oxygen, which could result in their inability to continue to control the airplane, accomplish the following:

Revision of Airplane Flight Manual (AFM) Emergency Procedures

(a) For Model Mystere-Falcon 50 series airplanes having serial numbers (S/Ns) 1 through 250 inclusive and 252, and Mystere-Falcon 900 series airplanes having S/Ns 1 through 178 inclusive: Within 10 days after the effective date of this AD, revise the Emergency Procedures section of the FAA-approved AFM to include the procedures listed in Figure 1 of this AD. This revision may be done by inserting a copy of Figure 1 into the AFM.

Figure 1

"In case of rapid cabin depressurization, apply the following procedure:

1. Crew oxygen masks ..... 100% - Donned
2. Microphone selector ..... MASK
3. FASTEN BELTS and no smoking light pushbuttons ..... On
4. Oxygen controller and passenger masks ..... OVERRIDE – Donned
5. Emergency descent ..... Initiated"

Revision of AFM Abnormal Procedures Section

(b) For Model Mystere-Falcon 50 series airplanes as identified in paragraph (a) of this AD: Within 10 days after the effective date of this AD, revise the Abnormal Procedures section of the AFM to include the procedures listed in Figure 2 of this AD. This revision may be done by inserting a copy of Figure 2 into the AFM.

Figure 2

"PRESSURIZATION – TOO HIGH CABIN ALTITUDE OR SLOW DEPRESSURIZATION

WARNING – CABIN light on and warning horn sounds.

– Cabin altitude higher than 10,000 ft.

– Crew oxygen masks ..... Donned – Normal

– Microphone selector ..... MASK and test

– Bleed air CREW, CABIN and PRV ..... ON or AUTO

– UP – DN control ..... Between 1 and 2 o'clock

– Cabin pressure selector switch ..... MAN (as required)

– UP – DN control .....DN (as required)

———— If necessary:

-  ..... On
- Passenger oxygen masks ..... Donned – Checked
- NOSE ..... Closed

———— If necessary:

- Execute an EMERGENCY DESCENT (see page 2.10.1) down to 14,000 ft or safe altitude."

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(c) For Model Mystere-Falcon 900 series airplanes as identified in paragraph (a) of this AD: Within 10 days after the effective date of this AD, revise the Abnormal Procedures section of the AFM by including the procedures listed in Figure 3 of this AD. This revision may be done by inserting a copy of Figure 3 into the AFM.

Figure 3

"PRESSURIZATION – TOO HIGH CABIN ALTITUDE OR SLOW DEPRESSURIZATION

WARNING – [CABIN] light on and aural warning.

– Cabin altitude higher than 10,000 ft.

– Crew oxygen masks ..... Donned/Normal

– Microphone selector ..... MASK

– Bleed air CREW and PASSENGER switches ..... Checked

– PRV 2 and PRV 3 switches ..... Checked

– BAG switch ..... ISOL

- [BAG ISOL] light ..... On

– *NOSE control lever* ..... *CLOSED*

– UP – DN control ..... Between 1 and 2 o'clock

– AUTO/MAN pressure selector switch ..... MAN

– UP – DN control .....DN (as required)

———— If cabin pressure cannot be restored:

- Isolation valve knob ..... ISOLATION
  - [ISOL] light checked .....On

———— If cabin pressure is restored:

- Cycle bleed air CREW and/or PASSENGER switches alternatively to OFF and ON. Retain condition for which cabin pressure is maintained.

- COND control lever *or crossfeed valve* ..... TIED

———— If cabin pressure is not restored:

- NORM/EMERG pressure selector switch .....EMERG

Figure 3 continued

———————— If cabin pressure is restored:

- Continue flight at highest possible altitude.
- CREW temperature controller .....As required

———————— If temperature gets too high during descent:

- Bleed air CREW switch..... OFF

———————— If cabin pressure cannot be restored:

-  .....On
- Passenger oxygen masks.....Donned

———————— If necessary:

- Execute an emergency descent down to the safe altitude or to 14,000 ft."

(d) For all Model Falcon 900EX series airplanes: Within 10 days after the effective date of this AD, revise the Abnormal Procedures section of the AFM by including the procedures listed in Figure 4 of this AD. This revision may be done by inserting a copy of Figure 4 into the AFM.

Figure 4

"PRESSURIZATION – TOO HIGH CABIN ALTITUDE

WARNING – [MASTER] with [CABIN] lights on and "CABIN" voice warning.

– Cabin altitude higher than 10,000 ft.

– Crew oxygen masks ..... Donned/Normal

– Microphone selector ..... MASK

– CREW and PASSENGER air conditioning valve switches ..... AUTO - Checked

– HP BLEED AIR switches ..... Auto - Checked

– BAG switch ..... ISOL

- [BAG ISOL] light ..... On - Checked

– UP – DN control knob ..... White range

– AUTO/MAN pressure selector switch ..... MAN

– UP – DN control knob .....DN (as required)

———— If cabin pressure cannot be restored:

- Isolation rotary switch.....ISOL
- [ISOL] light..... On - Checked

———— If cabin pressure is restored:

- Cycle PASSENGER and/or CREW air conditioning valve switches alternatively to OFF and ON. Retain condition for which cabin pressure is maintained.

———— If cabin pressure is not restored:

- NORM/EMERG pressure selector switch .....EMERG

Figure 4 continued

———————— If cabin pressure is restored:

- Continue flight at highest possible altitude.
- CREW temperature controller .....As required

———————— If temperature gets too high during descent:

- CREW air conditioning valve switch ..... OFF

———————— If cabin pressure cannot be restored:

-  light pushbutton .....On
- Passenger oxygen masks.....OVERRIDE/Donned

———————— If necessary:

- Execute an emergency descent down to the safe altitude or to 14,000 ft."

(e) For Model Mystere-Falcon 900 series airplanes having serial numbers 179 and subsequent: Within 10 days after the effective date of this AD, revise the Abnormal Procedures section of the AFM by including the procedures listed in Figure 5 of this AD. This revision may be done by inserting a copy of Figure 5 into the AFM.

Figure 5

"PRESSURIZATION – TOO HIGH CABIN ALTITUDE OR SLOW DEPRESSURIZATION

WARNING – [MASTER] with [CABIN] lights on and "CABIN" voice warning.

– Cabin altitude higher than 10,000 ft.

– Crew oxygen masks ..... Donned/Normal

– Microphone selector ..... MASK

– CREW and PASSENGER air conditioning switches . AUTO - Checked

– PRV 2 and PRV 3 BLEED AIR switches ..... On - Checked

– BAG switch ..... ISOL

- [BAG ISOL] light ..... On - Checked

– UP – DN control ..... Between 1 and 2 o'clock

– AUTO/MAN pressure selector switch ..... MAN

– UP – DN control ..... DN (as required)

——————— If cabin pressure cannot be restored:

- Isolation rotary switch ..... ISOLATION
  - [ISOL] light ..... On - Checked

——————— If cabin pressure is restored:

- Cycle PASSENGER and/or CREW air conditioning valve switches alternatively to OFF and ON. Retain condition for which cabin pressure is maintained.
- Crossfeed valve *or COND control lever* ..... TIED

——————— If cabin pressure is not restored:

- NORM/EMERG pressure selector switch ..... EMERG

Figure 5 continued

———— If cabin pressure is restored:

• Continue flight at highest possible altitude.

• CREW temperature controller ..... As required

———— If temperature gets too high during descent:

• CREW air conditioning valve switch ..... OFF

———— If cabin pressure cannot be restored:

•  .....On

• Passenger oxygen masks..... OVERRIDE - Donned

———— If necessary:

• Execute an emergency descent down to the safe altitude or to 14,000 ft."

(f) For Model Mystere-Falcon 50 series airplanes having serial numbers 251, 253, and subsequent: Within 10 days after the effective date of this AD, revise the Abnormal Procedures section of the AFM by including the procedures listed in Figure 6 of this AD. This revision may be done by inserting a copy of Figure 6 into the AFM.

Figure 6

"PRESSURIZATION – TOO HIGH CABIN ALTITUDE OR SLOW DEPRESSURIZATION

WARNING – MASTER light on + aural warning with CABIN light on.

– Cabin altitude higher than 10,000 ft.

– Crew oxygen masks ..... Donned – Normal

– Microphone selector ..... MASK and test

– HP 1, 2 and 3 BLEED AIR switches ..... AUTO – Checked

– BLEED AIR: CREW and CABIN switches ..... On

———— If depressurization persists:

- UP – DN control ..... Between 1 and 2 o'clock
- Cabin pressure selector switch ..... MAN (as required)
- UP – DN control ..... DN (as required)

———— If necessary:

-  ..... On
- Passenger oxygen masks ..... Donned – Checked
- NOSE ..... Closed

———— If necessary:

- Execute an EMERGENCY DESCENT (see page 2–120–1) down to 14,000 ft or safe altitude."

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(g) Insertion into the AFM of the applicable AFM revision in Table 1 of this AD, or insertion of a subsequent AFM revision that contains procedures identical to those in the applicable Figure of this AD, is acceptable for compliance with the corresponding requirements of this AD. Table 1 of this AD follows:

TABLE 1.—ALTERNATIVE SOURCES OF SERVICE INFORMATION

Figure in AD	Model/ Series	AFM revision
1	MF900	24
1	MF50	32
2	MF50	32
3	MF900	24
4	F900EX	6
5	F900C	2
6	F50EX	5

Alternative Methods of Compliance

(h) 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, International Branch, ANM–116, Transport Airplane Directorate, FAA. Operators shall submit their requests through an appropriate FAA Principal Operations Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

Note 1: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

(i) 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 airplane to a location where the requirements of this AD can be accomplished.

Note 2: The subject of this AD is addressed in French airworthiness directives 2000–536–032(B), dated December 27, 2000; and 2000–536–032(B) R1, dated February 7, 2001.

Effective Date

(j) This amendment becomes effective on December 3, 2001.

Issued in Renton, Washington, on October 22, 2001.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 01–27070 Filed 10–26–01; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA–2001–8683; Airspace Docket No. 01–ASW–2]

RIN 2120–AA66

Modification of Restricted Area R–6312 Cotulla, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action raises the upper limit of Restricted Area 6312 (R–6312) Cotulla, TX, from the current 12,000 feet above mean sea level (MSL) to Flight Level 230 (FL 230) to provide airspace for high altitude release bombing training. This rule makes no other changes to R–6312.

EFFECTIVE DATE: 0901 UTC, December 27, 2001.

FOR FURTHER INFORMATION CONTACT: Steve Rohring, Airspace and Rules Division, ATA–400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Background

On April 5, 2001, the FAA proposed (66 FR 18055) to amend 14 CFR part 73 to increase the vertical limits of R–6312 from 12,000 feet above MSL to FL 230. The FAA took this action in response to a request from the U.S. Navy indicating that current upper limit of R–6312 (12,000 feet above MSL) is not suitable for their training requirements. Specifically, altitudes up to FL230 are essential to fulfill their requirement to conduct high altitude release bombing training. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on this proposal to the FAA.

Discussion of Comment

In response to the Notice of Proposed Rule-making, the FAA received one comment in opposition to the change. The commenter indicated that the proposed increase to the ceiling from 12,000 feet MSL to FL 230 would cause visual flight rules (VFR) operations transiting the area to circumnavigate the restricted area. They requested an increase in the height of the east/west corridor through the restricted area from 1,000-feet AGL to 4,500 feet MSL to preclude the compression of transiting VFR aircraft into the corridor. The FAA disagrees with this comment because the predominant flow of VFR traffic in the area is north to south and visa versa. The affected aircraft would be higher than 12,000 feet and would not be likely to descend to 4,500 feet and circle to the east or west to pass through the east/west corridor rather than flying approximately 10nm to circumnavigate the restricted area. Further, increasing the height of the corridor would have a significant negative impact on military training without a significant benefit to civil VFR traffic in that it would prohibit low altitude awareness training.

Additionally, the commenter requests that the controlling agency's contact frequency be published in the tabular portion of the sectional aeronautical chart. The FAA agrees that it would be beneficial to display the contact frequency on the chart and will publish the contact frequency either in the tabular area or on the face of the sectional aeronautical chart.

The Rule

This amendment to 14 CFR part 73 raises the vertical limits of R–6312 from 12,000 feet above MSL to FL 230. This additional altitude is required in order to meet the Navy's requirement for high altitude release bombing training. No other change to R–6312 is made by this action. Section 73.63 of 14 CFR part 73 was republished in FAA Order 7400.8H, dated September 1, 2000.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current.

It, therefore—(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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The United States Navy (USN) determined that this amendment of the restricted area's designated altitude qualifies for a categorical exclusion. The FAA has reviewed the USN's environmental documentation and concludes that this action is