

Rules and Regulations

Federal Register

Vol. 66, No. 75

Wednesday, April 18, 2001

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. 00-103-2]

Brucellosis in Cattle; State and Area Classifications; South Dakota

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the brucellosis regulations concerning the interstate movement of cattle by changing the classification of South Dakota from Class A to Class Free. The interim rule was based on our determination that South Dakota meets the standards for Class Free status. The interim rule relieved certain restrictions on the interstate movement of cattle from South Dakota.

EFFECTIVE DATE: The interim rule became effective on December 4, 2000.

FOR FURTHER INFORMATION CONTACT: Dr. Valerie Ragan, Senior Staff Veterinarian, National Animal Health Programs, VS, APHIS, 4700 River Road Unit 43, Riverdale, MD 20737-1231; (301) 734-7708.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective and published in the **Federal Register** on December 4, 2000 (65 FR 75581-75582, Docket No. 00-103-1), we amended the brucellosis regulations in 9 CFR part 78 by removing South Dakota from the list of Class A States in paragraph (b) of § 78.41 and adding it to the list of Class Free States in paragraph (a) of that section.

Comments on the interim rule were required to be received on or before

February 2, 2001. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived the review process required by Executive Order 12866.

List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 78—BRUCELLOSIS

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 78 and that was published at 65 FR 75581-75582 on December 4, 2000.

Authority: 21 U.S.C. 111-114a-1, 114g, 115, 117, 120, 121, 123-126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 12th day of April 2001.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 01-9627 Filed 4-17-01; 8:45 am]

BILLING CODE 3410-34-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM188; Special Conditions No. 25-177-SC]

Special Conditions: Cessna Aircraft Company Model 500, 550, S550, and 560 Series Airplanes; High-Intensity Radiated Fields (HIRF)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for Cessna Aircraft Company Model 500, 550, S550, and 560 series airplanes modified by ElectroSonics. These modified airplanes will have a

novel or unusual design feature associated with the installation of new dual air data display unit systems that perform critical functions. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for the protection of these systems from the effects of high-intensity-radiated fields (HIRF). These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: The effective date of these special conditions is April 10, 2001. Comments must be received on or before May 18, 2001.

ADDRESSES: Comments on these special conditions may be mailed in duplicate to: Federal Aviation Administration, Transport Airplane Directorate, Attention: Rules Docket (ANM-114), Docket No. NM188, 1601 Lind Avenue SW., Renton, Washington 98055-4056; or delivered in duplicate to the Transport Airplane Directorate at that address. All comments must be marked: *Docket No. NM188*. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: For information concerning the certification program for Cessna Model 500, 550, S550, and 560 airplanes, contact: Meghan Gordon, Federal Aviation Administration, Standardization Branch, ANM-113, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (425) 227-2138; fax (425) 227-1149.

For information on the general subject of HIRF, contact: Stephen Slotte, Federal Aviation Administration, Transport airplane Directorate, Airplane and Flight Crew Interface Branch, ANM-111, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (425) 227-2315; fax (425) 227-1320.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA has determined that good cause exists for making these special conditions effective upon issuance; however, interested persons are invited to submit such written data, views, or

arguments, as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the address specified in the ADDRESSES section, above. All communications received on or before the closing date for comments will be considered by the Administrator. These special conditions may be changed in light of the comments received. All comments received will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to these special conditions must include a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. NM188." The postcard will be date stamped and returned to the commenter.

Background

On August 10, 2000, ElectroSonics, 4391 International Gateway, Columbus, Ohio, applied for a Supplemental Type Certificate (STC) to modify Cessna Aircraft Company Model 500, 550, S550, and 560 airplanes. These models are certificated under 14 CFR part 25 as (small) transport category airplanes.

- The Cessna Model 500 airplane is powered by two Pratt & Whitney JT15D-1(A/B) turbofans with a maximum takeoff weight of 11,850 pounds. This airplane operates with a two-pilot crew and can hold up to 7 passengers.

- The Cessna Model 550 airplane is powered by two Pratt & Whitney JT15D-4 turbofans with a maximum takeoff weight of 14,100 pounds. This airplane operates with a two-pilot crew and can hold up to 11 passengers.

- The Cessna Model S550 airplane is powered by two Pratt & Whitney JT15D-4B turbofans with a maximum takeoff weight of 15,100 pounds. This airplane operates with a two-pilot crew and can hold up to 11 passengers.

- The Cessna Model 560 airplane is powered by two Pratt & Whitney JT15D-5A/D turbofans with a maximum takeoff weight of 16,300 pounds. This airplane operates with a two-pilot crew and can hold up to 11 passengers.

The modification that is the subject of these special conditions incorporates the installation of Innovative Solutions & Support air data display units (ADDU). The ADDU is a replacement for the existing analog flight instrumentation, and provides additional functional capability and

redundancy in the system. The avionics/electronics and electrical systems installed in the subject Cessna airplanes have the potential to be vulnerable to HIRF external to the airplane.

Type Certification Basis

Under the provisions of 14 CFR 21.101, ElectroSonics must show that the Cessna Model 500, 550, S550, and 560 airplanes, as changed, continue to meet the applicable provisions of the regulations incorporated by reference in Type Certificate No. A22CE, or the applicable regulations in effect on the date of application for the change. The regulations incorporated by reference in the type certificate are commonly referred to as the "original type certification basis." The regulations included in the certification basis for these airplanes are as follows:

1. For the Cessna Model 500 Airplane

- 14 CFR part 25, effective February 1, 1965, as amended by Amendments 25-1 through 25-17; §§ 25.934 and 25.1091(d)(2) as amended by Amendments 25-1 through 25-23;
- § 25.1387 as amended by Amendments 25-1 through 25-30;
- §§ 25.1385 and 25.1303(a)(2) as amended by Amendments 25-1 through 25-38;
- Special Conditions 25-25-CE-4; and
- additional requirements listed in the type certificate data sheet that are not relevant to these special conditions.

2. For the Cessna Model 550 Airplane

- 14 CFR part 25 effective February 1, 1965, as amended by Amendments 25-1 through 25-17;
- §§ 25.934 and 25.1091(d)(2) as amended by Amendments 25-1 through 25-23;
- § 25.1401 as amended by Amendments 25-1 through 25-27;
- § 25.1387 as amended by Amendments 25-1 through 25-30;
- §§ 25.1303(a)(2) and 25.1385(c) as amended by Amendments 25-1 through 25-38;
- Special Conditions 25-25-CE-4; and
- additional requirements listed in the type certificate data sheet that are not relevant to these special conditions.

3. For the Cessna Model S550 Airplane

- 14 CFR part 25 effective February 1, 1965, as amended by Amendments 25-1 through 25-17;
- §§ 25.251(e), 25.934, and 25.1091(d)(2) as amended by Amendments 25-1 through 25-23;
- § 25.1401 as amended by Amendments 25-1 through 25-27;

- § 25.1387 as amended by Amendments 25-1 through 25-30;
- §§ 25.787, 25.789, 25.791, 25.853, 25.855, 25.857, and 25.1359 as amended by Amendments 25-1 through 25-32;
- §§ 25.1303(a)(2) and 25.1385(c) as amended by Amendments 25-1 through 25-38;
- Special Conditions 25-25-CE-4; and
- additional requirements listed in the type certificate data sheet that are not relevant to these special conditions.

4. For the Cessna Model 560 Airplane, Serial Numbers 560-0001 through 560-0259

- 14 CFR part 25 effective February 1, 1965, as amended by Amendments 25-1 through 25-17;
- §§ 25.251(e), 25.934, and 25.1091(d)(2) as amended by Amendments 25-1 through 25-23;
- § 25.1401 as amended by Amendments 25-1 through 25-27;
- § 25.1387 as amended by Amendments 25-1 through 25-30;
- §§ 25.787, 25.789, 25.791, 25.853, 25.855, 25.857, and 25.1359 as amended by Amendments 25-1 through 25-32;
- §§ 25.1303(a)(2) and 25.1385(c) as amended by Amendments 25-1 through 25-38;
- Special Conditions 25-25-CE-4; and
- additional requirements listed in the type certificate data sheet that are not relevant to these special conditions.

5. For the Cessna Model 560 Airplane, Serial Numbers 560-0260 Through 560-0538

- 14 CFR part 25 effective February 1, 1965, as amended by Amendments 25-1 through 25-17;
- §§ 25.251(e), 25.934, and 25.1091(d)(2) as amended by Amendments 25-1 through 25-23;
- § 25.1401 as amended by Amendments 25-1 through 25-27;
- § 25.1387 as amended by Amendments 25-1 through 25-30;
- §§ 25.787, 25.789, 25.791, 25.853, 25.855, 25.857, and 25.1359 as amended by Amendments 25-1 through 25-32;
- §§ 25.1303(a)(2) and 25.1385(c) as amended by Amendments 25-1 through 25-38;
- § 25.305 as amended by Amendments 25-1 through 25-54; and
- § 25.1001 as amended by Amendments 25-1 through 25-57.

In addition to the applicable airworthiness regulations and special conditions, these Cessna Model 500, 550, S550, and 560 airplanes must comply with the fuel vent and exhaust emission requirements of part 34 and the noise certification requirements of part 36.

The Effect of Special Conditions on the Type Certification Basis

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25, as amended) do not contain adequate or appropriate safety standards for the Cessna Model 500, 550, S550, and 560 airplanes modified by ElectroSonics because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions, as defined in § 11.19, are issued in accordance with § 11.38. In accordance with § 21.101(b)(2), the special conditions approved in this document will form an additional part of the type certification basis for these airplanes.

Special conditions are initially applicable to the model for which they are issued. Should ElectroSonics apply at a later date for a supplemental type certificate to modify any other model included on the same type certificate to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under the provisions of § 21.101(a)(1).

Novel or Unusual Design Features

As noted earlier, the Cessna Model 500, 550, S550, and 560 airplanes modified by ElectroSonics will incorporate a dual electronic primary flight display system that will perform critical functions. This system may be vulnerable to HIRF external to the airplane. The current airworthiness standards of part 25 do not contain adequate or appropriate safety standards for the protection of this equipment from the adverse effects of HIRF. Accordingly, this system is considered to be a novel or unusual design feature.

Discussion

There is no specific regulation that addresses protection requirements for electrical and electronic systems from HIRF. Increased power levels from ground-based radio transmitters and the growing use of sensitive avionics/electronics and electrical systems to command and control airplanes have made it necessary to provide adequate protection.

To ensure that a level of safety is achieved that is equivalent to that intended by the regulations incorporated by reference, special conditions are needed for the Cessna Model 500, 550, S550, and 560 airplanes modified by ElectroSonics. These special conditions require that new avionics/electronics and electrical systems that perform critical functions be designed and installed to preclude

component damage and interruption of function due to both the direct and indirect effects of HIRF.

High-Intensity Radiated Fields (HIRF)

With the trend toward increased power levels from ground-based transmitters, plus the advent of space and satellite communications coupled with electronic command and control of the airplane, the immunity of critical avionics/electronics and electrical systems to HIRF must be established.

It is not possible to precisely define the HIRF to which the airplane will be exposed in service. There is also uncertainty concerning the effectiveness of airframe shielding for HIRF. Furthermore, coupling of electromagnetic energy to cockpit-installed equipment through the cockpit window apertures is undefined. Based on surveys and analysis of existing HIRF emitters, an adequate level of protection exists when compliance with the HIRF protection special condition is shown with either paragraph 1, or, alternatively, paragraph 2., below:

1. A minimum threat of 100 volts rms per meter electric field strength from 10 KHz to 18 GHz.

a. The threat must be applied to the system elements and their associated wiring harnesses without the benefit of airframe shielding.

b. Demonstration of this level of protection is established through system tests and analysis.

or

2. A threat external to the airframe for both of the following field strengths for the frequency ranges indicated. Both peak and average field strength components from Table 1 are to be demonstrated.

TABLE 1

Frequency	Field Strength (volts per meter)	
	Peak	Average
10 kHz–100 kHz	50	50
100 kHz–500 kHz	50	50
500 kHz–2 MHz	50	50
2 MHz–30 MHz	100	100
30 MHz–70 MHz	50	50
70 MHz–100 MHz	50	50
100 MHz–200 MHz	100	100
200 MHz–400 MHz	100	100
400 MHz–700 MHz	700	50
700 MHz–1 GHz	700	100
1 GHz–2 GHz	2000	200
2 GHz–4 GHz	3000	200
4 GHz–6 GHz	3000	200
6 GHz–8 GHz	1000	200
8 GHz–12 GHz	3000	300
12 GHz–18 GHz	2000	200

TABLE 1—Continued

Frequency	Field Strength (volts per meter)	
	Peak	Average
18 GHz–40 GHz	600	200

The field strengths are expressed in terms of peak of the root-mean-square (rms) over the complete modulation period.

The threat levels identified in Table 1 are the result of an FAA review of existing studies on the subject of HIRF, in light of the ongoing work of the Electromagnetic Effects Harmonization Working Group of the Aviation Rulemaking Advisory Committee.

Applicability

As discussed above, these special conditions are applicable to Cessna Model 500, 550, S550, and 560 airplanes modified by ElectroSonics. Should ElectroSonics apply at a later date for a supplemental type certificate to modify any other model included on Type Certificate A22CE to incorporate the same novel or unusual design feature, these special conditions would apply to that model as well under the provisions of § 21.101(a)(1).

Conclusion

This action affects only certain novel or unusual design features on the Cessna Model 500, 550, S550, and 560 airplanes modified by ElectroSonics. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

The substance of these special conditions has been subjected to the notice and comment period in several prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. For this reason, and because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the supplemental type certification basis for the Cessna Aircraft Company Model 500, 550, S550, and 560 series airplanes modified by ElectroSonics:

1. *Protection From Unwanted Effects of High-Intensity Radiated Fields (HIRF)*. Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions*: Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on April 10, 2001.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 01-9531 Filed 4-17-01; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001-SW-06-AD; Amendment 39-12181; AD 2001-08-04]

RIN 2120-AA64

Airworthiness Directives; Bell Helicopter Textron Inc. Model 205A-1, 205B, 212, 412, 412CF, and 412EP Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD) for Bell Helicopter Textron Inc. (BHTI) Model 205A-1, 205B, 212, 412, and 412CF helicopters. That AD currently requires inspecting the locking washer on each main rotor actuator (actuator) for twisting or damage to the tab and

replacing any locking washer that has a twisted or damaged tab. Replacing certain locking washers, regardless of condition, is also required within a specified time period. Installing a certain airworthy locking device on each actuator constitutes terminating action for the requirements of that AD. This amendment requires the same actions as the existing AD but adds the BHTI Model 412EP helicopters to the applicability. This amendment is prompted by the discovery that the BHTI Model 412EP helicopter was inadvertently omitted from the existing AD. The actions specified by this AD are intended to prevent an actuator piston from unthreading from its rod end, loss of control of the main rotor, and subsequent loss of control of the helicopter.

DATES: Effective May 3, 2001.

The incorporation by reference of certain publications listed in the regulations was previously approved by the Director of the Federal Register as of December 28, 2000 (65 FR 77780, December 13, 2000).

Comments for inclusion in the Rules Docket must be received on or before June 18, 2001.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2001-SW-06-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 HR Textron, 25200 W. Rye Canyon Road, Santa Clarita, California 91355-1265, telephone (611) 702-5509, fax (661) 702-5970. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Alfred Boutin, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Certification Office, Fort Worth, Texas 76193-0170, telephone (817) 222-5157, fax (817) 222-5783.

SUPPLEMENTARY INFORMATION: On November 30, 2000, the FAA issued AD 2000-25-03, Amendment 39-12037 (65 FR 77780), to require, within 25 hours time-in-service (TIS), inspecting the tab on the NAS513-6 locking washer on all actuators, part number (P/N) 41105950, serial number with an "HR" prefix up to and including 490 and P/N 41000470,

serial numbers with a prefix of "HR" up to and including 10010, for a twisted or damaged tab. P/N's 41105950 and 41000470 were assigned by HR Textron, the manufacturer; the BHTI P/N's are 205-076-036 and 212-076-005. Replacing any twisted or damaged locking washer with an airworthy NAS1193K6C locking device is required before further flight. Replacing any NAS513-6 locking washer with an airworthy NAS1193K6C locking device, regardless of the condition of the tab, is required within 100 hours TIS or at the next actuator overhaul, whichever occurs first. Installing an airworthy NAS 1193K6C locking device on all actuators constitutes terminating action for the requirements of that AD. That action was prompted by the discovery of a damaged locking washer. The damage to the locking washer was discovered when an operator experienced a problem with a collective control while attempting to take off. The collective control could not be moved upward from the full down position. Further inspection revealed that the lower piston of the actuator had unthreaded and separated from the lower rod end, causing the piston to make contact with the rod end support assembly and lodge against the rod end shank at an angle limiting any movement of the collective control. The collective servo cylinder assembly is used to provide irreversible collective control of the main rotor. Because the actuator end locking washer failed, the servo lower piston could rotate inside the lower servo head assembly and unthread itself from the rod end. That condition, if not corrected, could cause loss of control of the main rotor and subsequent loss of control of the helicopter.

Since the issuance of that AD, we discovered that we inadvertently omitted the BHTI Model 412EP helicopters from the applicability of the AD.

The FAA has reviewed HR Textron Alert Service Bulletin (ASB) No. 41000470-67A-05, Revision 1 and HR Textron ASB No. 41105950-67A-01, Basic Issue, both dated October 19, 2000, which describe procedures for inspecting and replacing certain locking washers. BHTI has issued ASB No.'s 205-00-79, 205B-00-33, 212-00-109, 412-00-105, and 412CF-00-12, all dated October 19, 2000, which include the applicable HR Textron ASB's.

Since an unsafe condition has been identified that is likely to exist or develop on other BHTI Model 205A-1, 205B, 212, 412, 412CF, and 412EP helicopters of the same type designs, this AD is being issued to prevent an actuator piston from unthreading from