be providing to all individuals the MT-124 tool required to remove and install the nuts. The relevant AD Note has been revised to state that individuals may request an alternative method of compliance to use a different nut socket in lieu of the MT-124 tool. Also, Note 1 has been added to the AD clarifying the applicability to helicopters that have been modified, altered, or repaired in the area subject to the requirements of this AD. The addition of this note changed the numbering of the subsequent notes. Paragraph (a) of the AD has also been changed to allow use of an unserviceable M/R hub bolt or 5/8inch diameter bolt to counteract torque when removing the nuts. Finally, nomenclature and part numbers have been added throughout the AD for clarification. The FAA has determined that these minor changes will neither change the meaning or scope of the AD nor increase any burden on any operator.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual letters issued on March 8, 1995, to all known U.S. owners and operators of Robinson Model R22 helicopters. These conditions still exist, and the AD is hereby published in the Federal **Register** as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective to all persons.

### **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, both before and after the closing date for comments, 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. 94–SW–27–AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will 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 final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

## §39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

### 95-06-03 Robinson Helicopter Company: Amendment 39-9276. Docket No. 94-SW-27-AD.

Applicability: Model R22 helicopters with main rotor gearbox (gearbox), part number (P/ N) A006–1, Revisions A through Z, manufactured or overhauled prior to June 15, 1992, 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 (b) 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.

**Note 2:** The revision level (revision letter) of the gearbox can be found on the data plate next to the sight glass.

*Compliance:* Required as indicated, unless accomplished previously. To prevent main rotor (M/R) separation and subsequent loss of control of the helicopter, accomplish the following:

(a) Within 25 hours time-in-service after the effective date of this AD, inspect and modify the gearbox in accordance with the following:

(1) Remove the gearbox in accordance with the applicable maintenance manual.

(2) Drain the gearbox by removing the chip detector housing.

(3) Perform the following inspection and torquing of the shaft retaining nuts.

**Note 3:** A special tool, a spanner nut socket, P/N MT124–1, may be obtained from Robinson Helicopter Company. If that tool is not available, individuals may propose using a different nut socket in accordance with paragraph (b) of this AD.

(i) Lay the gearbox on its side using care to prevent damage to the slider tube. Remove the eight NAS1291-4 nuts and two MS20074-04-10 hex head cap screws holding the sump in place.

(ii) Gently remove the sump and discard the O-ring, using care to keep all washershims on their respective bolts. With the bolts still attached to the sump, replace the sump nuts on the bolts to retain the washershims (the washer-shim stack is the same at each location). Hand-tighten the nuts.

(iii) Bend back the two lock washer tabs locking the lower nut, P/N A153–1. Insert an