

SUMMARY: This amendment changes the effective date of recent amendments to rotorcraft external-load operations from August 10, 1977, to June 25, 1977, to allow operators who are capable of meeting the requirements at this earlier date to do so. This amendment results from requests submitted by affected parties.

EFFECTIVE DATE: June 25, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. D. A. Schroeder, Safety Regulations Division, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone 202-755-8715.

SUPPLEMENTARY INFORMATION:

BACKGROUND

On May 3, 1977, the FAA issued amendments to Parts 91 and 133 of the Federal Aviation Regulations (Amendment Nos. 91-138 and 133-6; published in the FEDERAL REGISTER (42 FR 24196) on May 12, 1977) to become effective August 10, 1977. These amendments: (1) Require all rotorcraft external-load operations to be conducted under Part 133 whether or not they are conducted for compensation or hire, and regardless of the air-worthiness category under which the rotorcraft is typed certificated; (2) authorize the operation of restricted category civil rotorcraft under Part 133 with certain limitations on the areas in which they may be operated; (3) make a Rotorcraft External-Load Operator Certificate issued under Part 133 effective for 24 calendar months; and (4) provide that after December 9, 1977, § 91.39 would not apply to non-passenger-carrying civil rotorcraft external-load operations conducted under Part 133. These amendments were based on notices of proposed rule making, Notice 75-38 and Notice 75-38A published in the FEDERAL REGISTER (40 FR 54188) on November 20, 1975, and (41 FR 7517) February 19, 1976, respectively.

REVIEW OF EFFECTIVE DATE

The FAA has received comments from Mr. Peter Wright, President, Keystone Helicopter Corporation, and A. J. Samuelson, American Electric Power Corporation, indicating that certain external-load operators having rotorcraft certificated in the restricted category and who are otherwise capable of meeting the certification requirements of Part 133 at an earlier date, would not be able to conduct external-load projects for compensation or hire until August 10, 1977. Their comments stated that the summer season is the heavy season for construction work when heavy lift external-load rotorcraft are used and requested that the effective date of Amendment Nos. 91-138 and 133-6 be changed to June 25, 1977.

When the FAA adopted Amendment Nos. 91-138 and 133-6, it believed that a

period ending August 10, 1977, was needed to develop, print, and distribute new Rotorcraft External-Load Operators Certificates and change FAA handbooks to implement the new requirements.

However, since the publication of the amendments, the FAA has determined that the present FAA Rotorcraft External-Load Operators Certificates can be used. Additionally, all FAA General Aviation and Flight Standard district offices will have the appropriate handbook guidelines by June 25, 1977.

In view of the fact that this amendment relieves a restriction and since there exists an almost immediate need for the type of operation contemplated by the rule, I find that notice and public procedure hereon are impractical and unnecessary, and good cause exists for making this amendment effective in less than 30 days.

DRAFTING INFORMATION

The principal authors of this document are Thomas G. Walenta, Flight Standards Service, and Richard B. Elwell, Office of General Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, effective June 25, 1977, Amendment Nos. 91-138 and 133-6 are amended as follows:

1. In the regulations published on May 12, 1977 (42 FR 24196), delete the effective date "August 10, 1977," and substitute for it the effective date "June 25, 1977."

§ 133.11 [Amended]

2. In paragraph (b) of § 133.11, delete the date "August 10, 1977" and substitute for it the date "June 25, 1977."

§ 133.13 [Amended]

3. In § 133.13, delete the date "August 10, 1977" and substitute for it the date "June 25, 1977."

(Secs. 307, 313(a), 601, 603, and 607 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), 1421, 1423, and 1427), and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 655(c)).)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Washington, D.C., on June 22, 1977.

J. W. COCHRAN,
Acting Administrator.

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[Docket No. 15176; Amdt. Nos. 91-140 and 133-7]

PART 91—GENERAL OPERATING AND FLIGHT RULES

PART 133—ROTORCRAFT EXTERNAL-LOAD OPERATIONS

Operations Review Program Amendment No. 2: Rotorcraft External-Load Operations Amended Effective Date

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

OPS Review