

FAR 91-189

Docket at the location under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aviation safety, Aircraft, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the FAR as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. By adding the following new AD:

Cessna: Applies to Models P210N, P210R (Serial numbers P21000001 through and including P21000855), and T210R (Serial numbers 21064898 through and including 21064929) airplanes, certificated in any category.

Compliance: Required as indicated, unless already accomplished.

To prevent possible separation of the turbocharger oil reservoir outlet fitting and subsequent rapid loss of engine lubricating oil, accomplish the following:

(a) Prior to further flight:

(1) Remove the right side engine cowling to the extent necessary to examine the turbocharger oil reservoir.

(2) Visually inspect using a strong light the top oil outlet fitting for cracks in the vicinity of the weld securing the fitting to the upper surface of the turbocharger oil reservoir.

Note: Cracking of the turbocharger oil reservoir outlet fitting may not be evidenced by an oil leak in the vicinity of the oil reservoir installation. Therefore, inspection of the reservoir will depend upon careful cleaning in addition to the use of a strong light.

(3) If no cracks are detected in the outlet fitting of the turbocharger oil reservoir, reinspect this area at each additional 25 hours time-in-service thereafter, or in the alternative, replace the turbocharger oil reservoir as follows:

(A) For Model P210N (serial numbers P21000001 through P21000834) airplanes remove the existing reservoir and install a Cessna Part Number 2150106-32 reservoir in accordance with the installation procedures contained in Paragraphs (c)(1) through (c)(6) of this AD.

(B) For Model P210R (serial numbers P21000835 through and including P21000855), and T210R (serial numbers 21064898 through and including 21064929) airplanes remove the existing reservoir and install a Cessna Part Number 2150106-33 reservoir in accordance with the installation procedures contained in Paragraphs (c)(1) through (c)(6) of this AD.

(b) The repetitive inspections required by Paragraph (a)(3) of this AD may be discontinued when the modification in Paragraph (a)(3)(A) or Paragraph (a)(3)(B) of this AD is accomplished.

(c) If any cracks are detected in the outlet fitting in accomplishing Paragraph (a)(2) of this AD, prior to further flight, remove the existing turbocharger oil reservoir and install a Cessna Part Number 2150106-32 reservoir (for Model P210N serial numbers P21000001 through P21000834) or Part Number 2150106-33 reservoir (for Model P210R serial numbers P21000835 through and including P21000855) and Model T210R, (serial numbers 21064898 through and including 21064929) airplanes available from Cessna Aircraft Company using the following procedure:

(1) Install the check valve with the arrow pointing away from the oil reservoir outlet fitting.

(2) Use a wrench on the reservoir fitting to isolate the torque when tightening the check valve.

(3) Attach the breather vent line.

(4) Mount the rubber flexible hanger to the firewall and reservoir.

(5) Initially secure the oil inlet and outlet lines by hand. Then use a wrench on the oil reservoir inlet fitting and the check valve fitting to isolate the effects of tightening the oil scavenge hoses. Tighten the oil scavenge hoses to the turbocharger oil reservoir.

(6) Run the engine to check for oil leaks and eliminate any leaks prior to returning the airplane to service.

(d) An equivalent method of compliance may be used if approved by the Manager, Wichita Aircraft Certification Office, Federal Aviation Administration, Central Region, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209.

Cessna Single Engine Service Bulletin SE85-11, dated June 7, 1985, covers the subject matter of this AD.

This amendment becomes effective on August 9, 1985, to all persons except those to whom it has already been made effective by priority letter from the FAA dated June 6, 1985, and is identified as AD 85-11-07.

Issued in Kansas City, Missouri, on July 25, 1985.

Edwin S. Harris,

Director, Central Region.

[FR Doc. 85-18457 Filed 8-2-85; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 91

[Docket No. 24339; Amdt. No. 91-189]

Two-Way Radio Communications Failure Procedures

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends two-way radio communications failure requirements for operations conducted under instrument flight rules (IFR) to clarify when a pilot must leave a clearance limit and begin descent and approach. The amendment incorporates improved air traffic control (ATC) procedures now in use and provides pilots with more specific information on

the actions to take in a communications failure situation.

EFFECTIVE DATE: September 4, 1985.

FOR FURTHER INFORMATION CONTACT:

Mr. Paul C. Smith, Airspace and Air Traffic Rules Branch, ATO-230, Airspace-Rules and Aeronautical Information Division, Air Traffic Operations Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8783.

SUPPLEMENTARY INFORMATION:

History

On November 28, 1984, the FAA proposed Notice No. 84-20 (49 FR 46749) to amend § 91.127 of Part 91 of the Federal Aviation Regulations (FAR) (14 CFR Part 91) to clarify when a pilot must leave a clearance limit and begin descent and approach. The previous rule, § 91.127, provided that a pilot may expect to receive either an "expect further clearance time (EFC)" or an "expect approach clearance time (EAC)" when ATC issues holding instructions. In the event of two-way radio communications failure, a pilot predicates certain actions on an EAC or EFC if one or the other is received from ATC. However, effective January 21, 1982, ATC discontinued the use of EAC's and adopted a procedure that provides pilots with a more accurate and real-time delay information, and thus, a basis for simpler and more precise actions when they experience two-way communications failure. This new ATC procedure retains the traditional use of EFC's while providing pilots with the additional information on delays that may be expected (e.g., "Expect further clearance one two one five anticipate additional two zero minute delay at (fix)"). This amendment brings the rule into line with ATC procedures which are based on the exclusive use of EFC's. Thus, this change clarifies and simplifies the rule by indicating the precise pilot responsibilities in terms of when to leave a clearance limit and when to begin the descent and approach. This amendment is the same as that proposed in the notice.

Discussion of Comments

The FAA received four comments in response to the NPRM published on November 28, 1984. All four comments were supportive of the proposal.

The Rule

This amendment to Part 91 of the FAR clarifies and simplifies the rule and provides pilots a more precise course of

action to follow when they experience two-way radio communications failure. The rule eliminates the use of "EAC" and retains the use of "EFC" which brings the rule into line with current ATC procedures.

The FAA has determined that this rule only involves a technical regulation which previously contained outdated procedures and for which this amendment was necessary to make it operationally current. It, therefore: (1) Is not a major rule under Executive Order 12291; (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 will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 91

Aviation safety, Air traffic control.

The Amendment

Accordingly, pursuant to the authority delegated to me, § 91.127 of Part 91 of the Federal Aviation Regulations (14 CFR Part 91) is amended as follows:

1. The authority citation for Part 91 is revised to read as follows:

Authority: 49 U.S.C. 1301(7), 1303, 1348, 1352 through 1355, 1401, 1421 through 1431, 1471 through 1472, 1502, 1510, 1522, and 2121-2125; Articles 12, 29, 31, and 32(a) of the Convention of International Civil Aviation (61 Stat. 1180); 42 U.S.C. 4321 et seq.; E.O. 11514; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 21, 1983); 14 CFR 11.45; and 49 CFR 1.47.

2. By removing paragraphs § 91.127 (c)(4) and (c)(5) and revising paragraph § 91.127(c)(3) to read as follows:

§ 91.127 - IFR Operations; two-way radio communications failure.

(c) . . .

(3) Leave clearance limit. (i) When the clearance limit is a fix from which an approach begins, commence descent or descent and approach as close as possible to the expect further clearance time if one has been received, or if one has not been received, as close as possible to the estimated time of arrival as calculated from the filed or amended (with ATC) estimated time en route.

(ii) If the clearance limit is not a fix from which an approach begins, leave the clearance limit at the expect further clearance time if one has been received, or if none has been received, upon

arrival over the clearance limit, and proceed to a fix from which an approach begins and commence descent or descent and approach as close as possible to the estimated time of arrival as calculated from the filed or amended (with ATC) estimated time en route.

Issued in Washington, D.C., on July 26, 1985.

Donald D. Engen,  
Administrator.

[FR Doc. 85-18460 Filed 8-2-85; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Parts 1301, 1305 and 1307

Registration of Manufacturers, Distributors and Dispensers of Controlled Substances; Registration Regarding Ocean Vessels

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: This action was necessitated by the closing of the U.S. Public Health Service (USPHS) hospital and clinic system and the discontinuance of form HSA-590, previously issued to certain maritime interests by those hospitals and clinics. This action deletes all references to HS-590, Authorization to Purchase Controlled Substances for Vessels, and establishes a new procedure whereby the master or first officer of certain vessels may purchase controlled substances for medical use aboard such vessels. It also provides for flexibility in determining the location at which a medical officer employed by the owner or operator of certain vessels, aircraft or other entities may obtain a registration from this agency.

EFFECTIVE DATE: September 4, 1985.

FOR FURTHER INFORMATION CONTACT: G.T. Gitchel, Chief, Diversion Operations Section, 1405, I Street, Northwest, Washington, D.C., 20537, telephone number (202) 633-1216.

SUPPLEMENTARY INFORMATION:

List of Subjects

21 CFR Part 1301

Administrative practice and procedure, Drug traffic control, Security measures.

21 CFR Part 1305

Drug traffic control, Reporting and recordkeeping requirements.

21 CFR Part 1307

Drug traffic control.

The USPHS hospital and clinic system was closed effective October 1, 1981. DEA was notified by the PHS that it had no plans to continue issuing form HSA-590 and that no other agency would issue these forms. Accordingly, the DEA initiated certain interim procedures to provide those vessels which had previously utilized form HSA-590 with a method of obtaining controlled substances. This was necessary because after the discontinuance of the form HSA-590, the only method remaining in the regulations (21 CFR 1301.28) for vessels, aircraft or other entities to purchase controlled substances was that they be acquired and dispensed under the general supervision of a medical officer who was licensed in a state as a physician, employed by the owner or operator of the vessel, aircraft or other entity, and registered under the Controlled Substances Act at the location of the principal office of the owner or operator of the vessel, aircraft or other entity.

While the above method is satisfactory in most instances, it does not provide a procedure for the purchase of controlled substances for vessels when no medical officer is employed by the owner or operator of a vessel, or in the event such medical officer is not accessible and the acquisition of controlled substances is required. With the discontinuance of form HSA-590, it is necessary to amend 21 CFR 1301.28 to delete all reference to that form and to provide a new procedure whereby vessels may acquire controlled substances under the above described circumstances.

Ocean going vessels purchase only limited quantities of controlled substances and this amendment affects only those vessels whose owners do not presently employ a registered medical officer to purchase controlled substances. This action is intended to clarify existing procedures and to assist the affected maritime interests, and suppliers, by providing an alternative method of obtaining necessary controlled substances. Moreover, it also assists those vessels whose owners wish to employ a registered medical officer by authorizing that a medical officer may be registered at a location other than the principal office of the owner or operator.

Accordingly, the Deputy Assistant Administrator of the DEA, Office of Diversion Control, hereby certifies this amendment will have no significant negative impact upon small business.

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