

# proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[ 50 CFR Part 17 ]

### ENDANGERED AND THREATENED WILDLIFE AND PLANTS

#### Proposed Threatened Status and Critical Habitat for the Leopard Darter

The Director, U.S. Fish and Wildlife Service (hereinafter, the Director and the Service, respectively), hereby issues a proposed rulemaking, pursuant to Sections 4 and 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543, 87 Stat. 884; hereinafter the Act), which would determine the Leopard Darter (*Percina pantherina*) to be a Threatened Species and which would determine Critical Habitat for that species. This species occurs in southeast Oklahoma and in western Arkansas.

#### BACKGROUND

On March 18, 1975, the Fish and Wildlife Service published a Notice in the FEDERAL REGISTER (Vol. 40, No. 53, p. 12297-12298) to the effect that a review of the status of 29 fishes was being conducted. The Leopard Darter was one of the 29 species included in this review. As a result of this notice of review, responses were received from the Governors of Arkansas and Oklahoma, the only States in which this species is known to occur. One comment was received from a biologist. These comments and supportive documents have been reviewed and a summary is presented below. This information has been considered and is incorporated into the administrative record of this proposal. The information presently available indicates the Leopard Darter is a Threatened species as provided for by the Act.

#### SUMMARY OF COMMENTS

Comments received from the Governor of Arkansas indicated that he had consulted with ichthyologists in the State and found that the Leopard Darter in Arkansas was Endangered. The response from the Governor of Oklahoma indicated that he had forwarded our request to the Oklahoma Wildlife Conservation Department for their consideration. To date we have not received any response

from the Oklahoma Wildlife Conservation Department. The one response received from a professional biologist from Arkansas indicated the overall status should be considered as Endangered.

Recent evidence (1974 and 1975) available to us, however, indicates that at least the population of the Leopard Darter occurring in Glover Creek, Oklahoma, is relatively stable and secure; this creek has good water quality and offers good habitat for the species. Given this situation, it is felt that a Threatened status more accurately reflects the condition of the species than does Endangered status.

#### SUMMARY OF FACTORS AFFECTING THE SPECIES

Section 4(a) of this Act states:

General.—(1) The Secretary shall by regulation determine whether any species is an endangered species or a threatened species because of any of the following factors:

- (1) The present or threatened destruction, modification, or curtailment of its habitat or range;
- (2) Overutilization for commercial, sporting, scientific, or educational purposes;
- (3) Disease or predation;
- (4) The inadequacy of existing regulatory mechanisms; or
- (5) Other natural or manmade factors affecting its continued existence.

This authority has been delegated to the Director. These factors, as they relate to the Leopard Darter, are as follows:

1. *The present or threatened destruction, modification, or curtailment of its habitat or range.* Historically, the Leopard Darter, *Percina pantherina*, was found throughout most of the upland large stream habitats of the Little River Drainage of Arkansas and Oklahoma. The habitat is typically clear, swift shoal areas in moderate to large streams. In these streams it is most frequently found in gravel areas with some sand intermixed. It also occurs along the borders of stream channels.

In the past, several of man's activities have resulted in the destruction or modification of habitat of the Leopard Darter. The single most important factor which has resulted in most habitat destruction has been the impoundments constructed in the Little River Drainage. Other factors responsible for habitat alteration to a lesser extent include siltation from agricultural operations, commercial gravel operations, industrial and municipal effluents and road construction. Both impoundment and pollution presently represent serious threats to the Leopard Darter.

From its once widespread range in the Little River Drainage of Oklahoma and Arkansas, the alteration of its habitat through impoundment and pollution has

greatly reduced its distribution and numbers. The present known distribution is Little River above Pine Creek Reservoir, Glover Creek, and Mountain Fork above Broken Bow Reservoir. Additionally, in a recent survey of the Cassatot River fishes, the Leopard Darter was found at two localities. These localities are below the recently completed Gillham Dam on the Cassatot River and should not be considered as supporting viable populations because upstream impoundments invariably result in the loss of populations occurring downstream.

The data presently available indicate that the Leopard Darter population in Glover Creek is a relatively strong, viable population and thus is being proposed as Threatened rather than Endangered. Glover Creek in its present state has good water quality and offers good habitat for the Leopard Darter and numerous other stream-dwelling organisms. The proposed Lukfata Reservoir impoundment and subsequent alterations of Glover Creek, however, would drastically change the situation and virtually eliminate the Leopard Darter in this Creek.

2. *Overutilization for commercial, sporting, scientific, or educational purposes.* Not applicable.

3. *Disease or predation.* Not applicable.

4. *The inadequacy of existing regulatory mechanisms.* Not applicable.

5. *Other natural or man-made factors affecting its continued survival.* Not applicable.

#### CRITICAL HABITAT

Section 7 of the Act, entitled "Inter-agency Cooperation" states

The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal departments and agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the conservation of endangered species and threatened species listed pursuant to section 4 of this Act and by taking such action necessary to insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of such endangered species and threatened species or result in the destruction or modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical.

An interpretation of the term Critical Habitat was published by the Fish and Wildlife Service and the National Marine Fisheries Service in the FEDERAL REGISTER of April 22, 1975 (40 FR 17764-17765).

The areas delineated below do not necessarily include the entire Critical Habitat of the Leopard Darter. It also is recognized that some of the stream areas are large and may contain portions that are not of primary use to the Leopard Darter. It should be stressed, however, that this is only a Proposed Rulemaking that is setting forth the outer parameters of the Critical Habitat areas in question, and that based upon data received and additional studies conducted by the Fish and Wildlife Service, the Final Rulemaking may exclude areas found to be devoid of Critical Habitat significance.

All Federal departments and agencies should, in accordance with Section 7 of the Act, consult with the Secretary of the Interior with respect to any actions which might reasonably be expected to affect Critical Habitat or jeopardize the continued existence of the Leopard Darter within the delineated areas.

#### CRITICAL HABITAT DETERMINATION

Based on information received from experts on this species in Arkansas and Louisiana, plus data presented in a recent publication by Eley *et al.* entitled "Current Status of the Leopard Darter, *Percina pantherina*" (Southwestern Naturalist, Oct., 1975, Vol. 20, No. 3, pages 343-354) the following areas are proposed as Critical Habitat for the Leopard Darter, *Percina pantherina*.

(i) Little River and Black Fork Creek: Oklahoma, Pushmataha Co. Main channel of Little River from mouth of Cloudy Creek (T3S; R20E; Section 3) upstream to the Pushmataha-Leflore Co. line.

Main channel of Black Fork Creek from its junction with Little River (T1S; R20E; Section 22) upstream to Oklahoma Highway 144 (T1S; R19E; Section 12).

(ii) Glover Creek, East Fork Glover Creek and West Fork Glover Creek: Oklahoma, McCurtain Co. Main Channel of Glover Creek from its junction with the Little River (T6S; R23E; Section 19) upstream to the junction of the East Fork and West Fork of Glover Creek (T3S; R23E; Section 7). Main channel of the East Fork of Glover Creek from its junction with the West Fork Glover Creek (T3S; R23E; Section 7) upstream to 4 air miles NNW of the community of Bethel (T2S; R24E; Section 5). The main channel of the West Fork Glover Creek from its junction with the East Fork Glover Creek (T3S; R23E; Section 7) upstream to the Community of Battiest (T2S; R23E; Section 7).

(iii) Mountain Fork Creek: Oklahoma, McCurtain Co. Main channel of Mountain Fork Creek from 6 air miles SSW of Smithville at the mouth of Boktukola Creek (T2S; R25E; Section 9) upstream to the Oklahoma-Arkansas state line.

(iv) Mountain Fork Creek: Arkansas, Polk Co. Main channel of Mountain Fork Creek from the Oklahoma-Arkansas state line upstream to the community of Mountain Fork (T1S; R32W; Section 29).

The areas delineated above do not include all known localities for the Leopard Darter. The four localities, and possibly others, in smaller tributaries to Little River, Glover Creek, and Mountain Fork Creek are not included at this time. Based on an examination of the distributional data presently available, the Leopard Darter appears to be an inhabitant of the main channels of the largest streams with individuals occasionally entering the lower portions of tributaries. The portion of the Cassatot River inhabited by the Leopard Darter is not included since the alterations brought about by Gillham Dam will, in all probability, re-

sult in the elimination of the species in that system.

#### EFFECT OF THE RULEMAKING

The effects of this determination and Proposed Rulemaking include, but are not necessarily limited to, those discussed below.

Endangered Species regulations already published in Title 50 of the Code of Federal Regulations set forth a series of general prohibitions and exception which apply to all Endangered Species. All of those prohibitions and exception also apply to any Threatened Species unless a Special Rule pertaining to the Threatened Species has been published and indicates otherwise. The regulation referred to above which pertain to Endangered Species, are found at § 17.21 of Title 50 and; for the convenience of the reader, are reprinted below:

#### SUBPART C—ENDANGERED WILDLIFE

§ 17.21 *Prohibitions.* (a) Except as provided in Subpart A of this part, or under permits issued pursuant to § 17.22 or § 17.23 it is unlawful for any person subject to the jurisdiction of the United States to commit or attempt to commit, to solicit another to commit or to cause to be committed, any of the acts described in paragraphs (b) through (f) of this section in regard to any endangered wildlife.

(b) *Import or export.* It is unlawful to import or to export any endangered wildlife. Any shipment in transit through the United States is an importation and an exportation whether or not it has entered the country for customs purposes.

(c) *Take.* (1) It is unlawful to take endangered wildlife within the United States within the territorial sea of the United States, or upon the high seas. The high seas shall be all waters seaward of the territorial sea of the United States, except waters officially recognized by the United States as the territorial sea of another country, under international law.

(2) Notwithstanding paragraph (c) (1) of this section, any person may take endangered wildlife in defense of his own life or the lives of others.

(3) Notwithstanding paragraph (c) (1) of this section, any employee or agent of the Service, any other Federal land management agency, the National Marine Fisheries Service, or a State conservation agency, who is designated by his agency for such purposes may, when acting in the course of his official duties, take endangered wildlife without a permit if such action is necessary to:

(i) Aid a sick, injured or orphaned specimen; or

(ii) Dispose of a dead specimen; or

(iii) Salvage a dead specimen which may be useful for scientific study; or

(iv) Remove specimens which constitute a demonstrable but nonimmediate threat to human safety, provided that the taking is done in a humane manner; the taking may involve killing or injuring only if it has not been reasonably possible to eliminate such threat by live-capturing and releasing the specimen unharmed, in a remote area.

(4) Any taking pursuant to paragraphs (c) (2) and (3) of this section must be reported in writing to the United States Fish and Wildlife Service, Division of Law Enforcement, P.O. Box 19183, Washington, D.C. 20036, within 5 days. The specimen may only be retained, disposed of, or salvaged in accordance with directions from the Service.

(d) *Possession and other acts with unlawfully taken wildlife.* (1) It is unlawful to

possess, sell, deliver, carry, transport, or ship, by any means whatsoever, any endangered wildlife which was taken in violation of paragraph (c) of this section.

*Example.* A person captures a whooping crane in Texas and gives it to a second person, who puts it in a closed van and drives thirty miles, to another location in Texas. The second person then gives the whooping crane to a third person, who is apprehended with the bird in his possession. All three have violated the law—the first by illegally taking the whooping crane; the second by transporting an illegally taken whooping crane; and the third by possessing an illegally taken whooping crane.

(2) Notwithstanding paragraph (d)(1) of this section, Federal and State law enforcement officers may possess, deliver, carry, transport or ship any endangered wildlife taken in violation of the Act as necessary in performing their official duties.

(e) *Interstate or foreign commerce.* It is unlawful to deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever, and in the course of a commercial activity, any endangered wildlife.

(1) *Sale or offer for sale.* (1) It is unlawful to sell or to offer for sale in interstate or foreign commerce any endangered wildlife.

(2) An advertisement for the sale of endangered wildlife which carries a warning to the effect that no sale may be consummated until a permit has been obtained from the U.S. Fish and Wildlife Service shall not be considered an offer for the sale within the meaning of this subsection.

The general prohibitions and exceptions for Threatened Species are found at § 17.31 of Title 50 of the Code of Federal Regulations and, for the convenience of the reader, are reprinted below:

§ 17.31 *Prohibitions.* (a) Except as provided in Subpart A of this Part, or in a permit issued under this Subpart, all of the provisions in § 17.21 shall apply to threatened wildlife.

(b) In addition to any other provisions of this Part 17, any employee or agent of the Service, of the National Marine Fisheries Service, or of a State conservation agency which is operating under a Cooperative Agreement with the Service or with the National Marine Fisheries Service, in accordance with section 6(c) of the Act, who is designated by his agency for such purposes, may, when acting in the course of his official duties, take any threatened wildlife to carry out scientific research or conservation programs.

(c) Whenever a special rule is §§ 17.40 to 17.48 applies to a threatened species, none of

the provisions of paragraphs (a) and (b) of this section will apply. The special rule will contain all the applicable prohibitions and exceptions.

Thus, Rules which pertain to a Threatened Species are established thru Section 17.31 which incorporates the provisions of § 17.21 unless modified by special rules containing specific provisions tailored to the conservation needs of the particular species in question. When such special rules are published for a given Threatened Species, those special rules take precedence over both §§ 17.31 and 17.21.

A Special Rule (§ 17.44 (c)) is proposed to apply to the Leopard Darter (*Percina pantherina*). The Special Rule is set forth below.

The determination set forth in these Proposed Rules and the proposal of Critical Habitat also would make the Leopard Darter eligible for the consideration provided by Section 7 of the Act.

The Director has prepared, in consultation with affected agencies, guidelines for Federal agencies for the application of Section 7 of the Act. In the future, regulations will be published regarding Section 7.

Pursuant to Section 4(b) of the Act, the Director will notify the Governors of Arkansas and Oklahoma with respect to this proposal and request their comments and recommendations before making final determinations.

**PUBLIC COMMENTS SOLICITED**

The Director intends that the rules finally adopted will be as accurate and effective in the conservation of any Endangered or Threatened species as possible. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of these Proposed Rules are hereby solicited. Comments particularly are sought concerning:

(1) Biological or other relevant data concerning any threat (or the lack thereof) to the Leopard Darter;

(2) The location of and reasons why any habitat of the Leopard Darter should or should not be determined to be Critical Habitat as provided for by Section 7 of the Act;

(3) Additional information concerning the range and distribution of the Leopard Darter.

Final promulgation of the regulations on the Leopard Darter will take into consideration the comments and any additional information received by the Director, and such communication may lead the Director to adopt final regulations that differ from this proposal.

An Environmental assessment has been prepared in conjunction with this proposal. It is on file in the Service's Office of Endangered Species, 1612 K Street, NW., Washington, D.C. 20240, and may be examined during regular business hours. A determination will be made before the time of Final Rule-making as to whether this is a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102 (2)(C) of the National Environmental Policy Act of 1969, thus requiring an Environmental Impact Statement.

**SUBMITTAL OF WRITTEN COMMENTS**

Interested persons may participate in this rulemaking by submitting written comments and other documents, preferably in triplicate, to Director (FWS-LE), U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C. 20036. All relevant comments and materials received no later than September 1, 1976, will be considered. Comments and materials received will be available for public inspection during normal business hours at the Service's Office in Suite 600, 1612 K Street, NW., Washington, D.C.

This Proposed Rulemaking is issued under the authority contained in the Endangered Species Act of 1973 (16 U.S.C. 1531-1543; 87 Stat. 884).

Dated: June 23, 1976.

LYNN A. GREENWALT,  
*Director,*  
*Fish and Wildlife Service.*

Accordingly it is hereby proposed to amend Part 17, Subchapter B of Chapter 1, Title 50 of the Code of Federal Regulations, as set forth below:

It is proposed to amend § 17.11 by adding in alphabetical order the following to the list of animals:

§ 17.11 Endangered and threatened wildlife.

| Species                         |                                 | Range      |                                   |   |        |             |               |
|---------------------------------|---------------------------------|------------|-----------------------------------|---|--------|-------------|---------------|
| Common name                     | Scientific name                 | Population | Known distribution                | Portion of range where threatened or endangered | Status | When listed | Special rules |
| Fishes:<br>Darter, Leopard..... | <i>Percina pantherina</i> ..... | NA         | U.S.A. (Arkansas and Oklahoma)... | Entire.....                                     | T      |             | 17.44(c)      |

It is also proposed to add § 17.44(c) as follows:

**§ 17.44 Special rules—fishes.**

(c) Leopard darter (*Percina pantherina*)

(1) All provisions of § 17.31 apply to this species, except that they may be

taken in accordance with applicable State laws;

(2) Any violations of State law will also be a violation of the 1973 Endangered Species Act.

It is further proposed to add a new § 17.88 to Subpart F—Critical Habitat to read as follows:

**§ 17.88 Leopard Darter.**

(a) The following area is Critical Habitat for the Leopard Darter:

(1) Little River and Black Fork Creek: Oklahoma, Pushmataha Co. Main channel of Little River from mouth of Cloudy Creek (T3S; R20E; Section 3) upstream to the Pushmataha-LeFlore Co. line.

Main channel of Black Fork Creek from its junction with Little River (T1S; R20E; Section 22) upstream to Oklahoma Highway 144 (T1S; R19E; Section 12).

(2) Glover Creek, East Fork Glover Creek and West Fork Glover Creek; Oklahoma, McCurtain Co. Main channel of Glover Creek from its junction with the Little River (T6S; R23E; Section 19) upstream to the junction of the East Fork and West Fork of Glover Creek (T3S; R23E; Section 7). Main channel of the East Fork of Glover Creek from its junction with the West Fork Glover Creek (T3S; R23E; Section 7) upstream to 4 air miles NNW of the community of Bethel (T2S; R24E; Section 5). The main channel of the West Fork Glover Creek from its junction with the East Fork Glover Creek (T3S; R23E; Section 7) upstream to the Community of Battlest (T2S; R23E; Section 7).

(3) Mountain Fork Creek: Oklahoma, McCurtain Co. Main channel of Mountain Fork Creek from 6 air miles SSW of Smithville at the mouth of Boktukola Creek (T2S; R25E; Section 9) upstream to the Oklahoma-Arkansas state line.

(4) Mountain Fork Creek: Arkansas, Polk Co. Main channel of Mountain Fork Creek from the Oklahoma-Arkansas state line upstream to the community of Mountain Fork (T1S; R32W; Section 29).

(b) Pursuant to Section 7 of the Act, all Federal agencies must insure that actions authorized, funded or carried out by them do not result in the destruction or adverse modification of these Critical Habitat areas.

[FR Doc. 76-19247 Filed 7-2-76; 8:45 am]

**DEPARTMENT OF  
TRANSPORTATION**

Federal Aviation Administration

[ 14 CFR Parts 1 and 191 ]

[Docket No. 15855; Notice No. 76-14]

**RELEASE OF SECURITY INFORMATION**

Proposed Rule Making

Correction

In FR Doc. 76-18594 appearing at page 26579 in the issue of Monday, June 28, 1976, in the first line of § 1.1 the word reading "Interstate" should read "Intrastate."

[ 14 CFR Part 39 ]

[Docket No. 14231]

**BRITISH AIRCRAFT CORPORATION VIS-  
COUNT MODEL 744, 745D, AND 810  
SERIES AIRPLANES**

Proposed Airworthiness Directives

Amendment 39-129 (30 FR 11169), AD 65-20-4, as amended by Amendment 39-2283 (40 FR 31595), requires inspection of various areas of the fuselage for cracks and repair, as necessary, on British Aircraft Corporation Viscount Model 744, 745D, and 810 series airplanes. After issuing Amendment 39-2283, due to serv-

ice experience, the FAA has determined that inspections are necessary for an additional area of the fuselage. Therefore, the FAA is considering amending amendment 39-129, as amended, to require repetitive inspections of the fuselage skin and doubler at the wing drag angle for cracks and repair, as necessary, on Viscount Model 744, 745D, and 810 series airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. All communications received on or before July 30, 1976, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-129 (30 FR 11169) AD 65-20-4, as amended by Amendment 39-2283 (40 FR 31595), by redesignating paragraph (i) as paragraph (j) and adding a new paragraph (i) as follows:

BRITISH AIRCRAFT CORPORATION. Applies to Viscount Models 744, 745D, and 810 series airplanes.

(i) Fuselage skin—Section 9—skin and doubler at wing drag angle—STD. 357 to 414 (Models 744 and 745D) and STD. 403 to 460 (Model 810). Compliance is required as indicated in BAC PTL 221, issue 7, or BAC PTL 94, issue 7, as applicable, or an FAA approved equivalent, within the next 1000 landings after the effective date of this Amendment or prior to the accumulation of 25,000 total landings, whichever occurs later, and thereafter at intervals not to exceed 4000 landings since last compliance.

Issued in Washington, D.C. on June 24, 1976.

R. P. SKULLY,

Director, Flight Standards Service.

[FR Doc. 76-19214 Filed 7-2-76; 8:45 am]

[ 14 CFR Part 39 ]

[Docket No. 15858]

**HAWKER SIDDELEY AVIATION, LTD.**

**MODEL DH/BH-125 AIRPLANES**

Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding

an Airworthiness Directive applicable to Hawker Siddeley Aviation, Ltd. Model DH/BH-125 airplanes. Based on the results of the manufacturer's continuing fatigue test program, the FAA has determined that the front pressure bulkhead and lower canopy post of the Model DH/BH-125 airplanes are susceptible to fatigue failure that could result in in-flight decompression. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require modifications to provide for the continued structural integrity of Hawker Siddeley Aviation, Ltd. Model DH/BH-125 airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. All communications received on or before July 30, 1976, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

HAWKER SIDDELEY AVIATION, LTD. Applies to Model DH/BH-125 airplanes, all series, certificated in all categories.

Compliance is required as indicated, unless already accomplished.

To provide for the continued structural integrity of the front pressure bulkhead and lower canopy post, accomplish the following:

(a) For the following listed airplanes, prior to the accumulation of 6600 total landings or within the next 25 landings after the effective date of this AD, whichever occurs later, incorporate Hawker Siddeley Modification 252402 in accordance with Section 2, titled "Accomplishment Instructions," of Hawker Siddeley Aviation, Ltd., Service Bulletin 53-46 (2402), dated June 30, 1975, or an FAA-approved equivalent:

| Series                    | Manufacturer's S/N   |
|---------------------------|--|
| BH-125-400A, BH-125-600A. | NA773 through NA 780, 25/6013, 6014, 6016, 6018, 6020, 6022, through 6026, 6032, 6034, 6038, 6040, 6044, 6046, 6047. |

(b) For the following listed airplanes, prior to the accumulation of 6600 total landings or within the next 25 landings after the effective date of this AD, whichever occurs later, comply with paragraph (c) or (d) of this AD, as applicable: