

Done in Washington, DC, this 9th day of March 1998.

**Terry L. Medley,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 98-6588 Filed 3-13-98; 8:45 am]

BILLING CODE 3410-34-P

## SMALL BUSINESS ADMINISTRATION

### 13 CFR Part 115

#### **Surety Bond Guarantees; Pilot Preferred Surety Bond Guarantee Program**

**AGENCY:** Small Business Administration.

**ACTION:** Final rule.

**SUMMARY:** This rule revises 13 CFR part 115 to conform it to Section 503 of the Small Business Reauthorization Act of 1997 which was approved on December 2, 1997. This Act extends the period of the Pilot Preferred Surety Bond (PSB) Guarantee Program to September 30, 2000. Since this rule only implements the cited statute, it is published in final form without opportunity to comment.

**DATES:** Effective March 16, 1998.

**FOR FURTHER INFORMATION CONTACT:** Robert J. Moffitt, Associate Administrator, Office of Surety Guarantees, (202) 205-6540.

**SUPPLEMENTARY INFORMATION:** Since this rule only extends the period of the Pilot PSB Program from September 30, 1997, to September 30, 2000, and makes no substantial change to the current regulation, SBA is not required to determine if this change constitutes a major rule for purposes of Executive Order 12291, to determine if it has a significant economic impact on a substantial number of small entities pursuant to the Regulatory Flexibility Act (5 U. S. C. 601 et seq), or to do a Federalism Assessment pursuant to Executive Order 12612. SBA certifies that these changes will not impose an annual record keeping or reporting requirement on 10 or more persons under the Paperwork Reduction Act (44 U. S. C. ch. 35). Finally, for purposes of E. O. 12778, SBA certifies that this rule, is drafted, to the extent practicable, in accordance with standards set forth in Section 2 of that order.

SBA is publishing this regulation as a final rule without opportunity for public comment pursuant to 5 U. S. C. 553 (b) (A).

#### **List of Subjects in 13 CFR Part 115**

Claims, Small businesses, Surety bond.

For the reasons set forth above, part 115 of Title 13, Code of Federal

Regulations (CFR) is amended as follows.

### **PART 115—SURETY BOND GUARANTEES**

1. The Authority citation for Part 115 is revised to read as follows:

**Authority:** 5 U. S. C. app 3; 15 U.S.C. 687b, 687c, 694a, 694b; Pub. L 105-135.

2. Amend § 115.61 by removing the date "1997" both times it appears, and replacing it with the date "2000".

Dated: February 27, 1998.

**Aida Alvarez,**  
*Administrator.*

[FR Doc. 98-6677 Filed 3-13-98; 8:45 am]

BILLING CODE 8025-01-P

## DEPARTMENT OF TRANSPORTATION

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. 97-CE-124-AD; Amendment 39-10391; AD 98-06-13]

RIN 2120-AA64

#### **Airworthiness Directives; Dornier Luftfahrt GmbH Models 228-100, 228-101, 228-200, and 228-201 Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to all Dornier Luftfahrt GmbH (Dornier) Models 228-100, 228-101, 228-200, and 228-201 airplanes equipped with certain main landing gear (MLG). This action requires replacing the MLG axle assembly with an MLG axle assembly of improved design. This AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified in this AD are intended to prevent main landing gear failure, which, if not corrected, could result in loss of control of the airplane during landing operations.

**DATES:** Effective June 15, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 15, 1998.

Comments for inclusion in the Rules Docket must be received on or before April 13, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation

Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-124-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from Dornier Luftfahrt GmbH, Product Support, P.O. Box 1103, D-82230 Wessling, Federal Republic of Germany; telephone: (08153) 300; facsimile: (08153) 302985. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-124-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. Karl M. Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, Aircraft Certification Service, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6934; facsimile: (816) 426-2169.

#### **SUPPLEMENTARY INFORMATION:**

#### **Events Leading to the Issuance of This AD**

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, notified the FAA that an unsafe condition may exist on all Dornier Models 228-100, 228-101, 228-200 and 228-201 airplanes equipped with MLG axle assemblies that have part numbers (P/N) A-511000D00F, A-521000D00F, A-511000E00F, and A-521000E00F, or FAA-approved equivalent part numbers. The LBA has received two incident reports of failed MLG axles. The investigation of these reports reveals that extreme operating loads will fatigue these MLG axles, which can lead to cracking and failure. These fatigue cracks are a result of manufacturing defects (grooves) along the inside radius of the axle. This condition, if not corrected, could result in loss of control of the airplane during landing operations.

#### **Relevant Service Information**

Dornier has issued Service Bulletin No. SB-228-214, dated January 28, 1994, which specifies procedures for removing the MLG axle assembly (P/N's A-511000D00F, A-521000D00F, A-511000E00F, and A-521000E00F), and installing a new MLG axle assembly of improved design.

The LBA classified this service bulletin as mandatory and issued German AD 94-042 Dornier, dated February 9, 1994, in order to assure the continued airworthiness of these airplanes in Germany.

### The FAA's Determination

These airplane models are manufactured in Germany and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the LBA has kept the FAA informed of the situation described above.

The FAA has examined the findings of the LBA; reviewed all available information, including the service information referenced above; and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

### Explanation of the Provisions of This AD

Since an unsafe condition has been identified that is likely to exist or develop in other Dornier Models 228-100, 228-101, 228-200, and 228-201 airplanes of the same type design registered in the United States, the FAA is issuing an AD. This AD requires removing the MLG axle assembly and installing a new MLG axle assembly of improved design. Accomplishment of the actions of this AD would be required in accordance with the previously referenced service bulletin.

### Cost Impact

The FAA estimates that 3 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 16 workhours per airplane to accomplish the required action, and that the average labor rate is approximately \$60 per work hour. Parts will be provided at no charge. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be \$960 per airplane; however, the FAA has been informed that as of June 1997, all airplanes in the U.S. registry have been modified.

### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and therefore is issuing it as a direct final rule. The requirements of this direct final rule address an unsafe condition identified by a foreign civil airworthiness authority and do not impose a significant burden on affected operators. In accordance with Section 11.17 of the Federal Aviation Regulations (14 CFR 11.17) unless a written adverse or negative comment, or a written notice of intent to submit an adverse or negative comment, is received within the comment period, the regulation will

become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, a written adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

### Comments Invited

Although this action is in the form of a final rule and 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 shall 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. 97-CE-124-AD." The postcard will be date stamped and returned to the commenter.

### Regulatory Impact

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 noncontroversial and unlikely to result in adverse or negative comments. For reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and is contained in the Rules Docket. A copy of it 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, Incorporation by reference, 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. 106(g), 40113, 44701.

#### § 39.13 [Amended]

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

#### 98-06-13 Dornier Luftfahrt GMBH:

Amendment 39-10391; Docket No. 97-CE-124-AD.

**Applicability:** Models 228-100, 228-101, 228-200, and 228-201 (all serial numbers) airplanes, certificated in any category, equipped with a main landing gear (MLG) axle housing assembly that has part numbers (P/N) A-511000D00F, A-521000D00F, A-511000E00F, and A-521000E00F (or FAA-approved equivalent part numbers).

**Note 1:** This AD applies to each airplane 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 airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the

owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required within the next 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent main landing gear failure, which, if not corrected, could result in loss of control of the airplane during landing operations, accomplish the following:

(a) Replace the main landing gear (MLG) axle housing assembly (P/N's A-511000D00F, A-521000D00F, A-511000E00F, and A-521000E00F, or FAA-approved equivalent part numbers), with a new MLG axle housing assembly of improved design in accordance with Dornier 228 Service Bulletin No. SB-228-214, dated January 28, 1994.

(b) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be used if approved by the Manager, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(d) The replacement required by this AD shall be done in accordance with Dornier 228 Service Bulletin No. SB-228-214, dated January 28, 1994. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Dornier Luftfahrt GmbH, Product Support, P.O. Box 1103, D-82230 Wessling, Federal Republic of Germany. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 3:** The subject of this AD is addressed in German AD 94-042 Dornier, dated February 9, 1994.

(e) This amendment becomes effective on June 15, 1998.

Issued in Kansas City, Missouri, on March 5, 1998.

**James E. Jackson,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 98-6452 Filed 3-13-98; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-SW-26-AD; Amendment 39-10383; AD 98-06-06]

RIN 2120-AA64

#### Airworthiness Directives; GKN Westland Helicopters Ltd., 30 Series Helicopters

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to GKN Westland Helicopters Ltd. (Westland) 30 series helicopters. This action requires determining the total hours time-in-service (TIS) of the six tail rotor drive shafts (drive shafts), creating a component history card or an equivalent record for each shaft, and replacing those drive shafts that exceed a certain TIS with an airworthy drive shaft. This amendment is prompted by findings of drive shaft attachment flange cracks on similar British military model helicopters. This condition, if not corrected, could result in failure of the drive shaft coupling attachment flanges that could result in loss of power to the tail rotor and subsequent loss of control of the helicopter.

**DATES:** Effective March 31, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 31, 1998.

Comments for inclusion in the Rules Docket must be received on or before May 15, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 97-SW-26-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

The service information referenced in this AD may be obtained from GKN Westland Helicopters Ltd., Customer Support Division, Yeovil, Somerset BA20 2YB, England, telephone (01935) 703884, fax (01935) 703905. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. Shep Blackman, Aerospace Engineer,

FAA, Rotorcraft Directorate, ASW-111, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone 817-222-5296, fax 817-222-5961.

**SUPPLEMENTARY INFORMATION:** The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom (UK), recently notified the FAA that an unsafe condition may exist on Westland 30 series helicopters. The UK CAA advises that two incidents of drive shaft attachment flange cracking occurred on the Lynx model helicopters, the UK military version of the Westland 30 helicopters. Consequently, the appropriate drive shaft lives for the Westland 30 series helicopters have been reconsidered.

Westland has issued GKN Westland Helicopters Ltd. Service Bulletin (SB) Nos. W30-65-48, dated November 29, 1995, and W30-65-48, Annex A, dated November 8, 1996, which specify the procedure to establish the current TIS of the Westland 30 series helicopters' drive shafts, the hours at which the drive shafts should be replaced or inspected, and the inspection procedure. The UK CAA classified these SB's as mandatory and issued UK CAA AD 013-11-95, dated January 31, 1996, to ensure the continued airworthiness of these helicopters in the UK.

These helicopter models, manufactured in Yeovil, England, are type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the UK CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the UK CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other Westland 30 series helicopters of the same type design eligible for registration in the United States, this AD is being issued to prevent failure of the drive shaft coupling attachment flanges that could result in loss of power to the tail rotor and the subsequent loss of control of the helicopter. This AD requires that the TIS of each of the six drive shafts be determined from the helicopter records and that a component history card or an equivalent record be created for each drive shaft. If drive shaft No. 1, 2, 3, 4, or 5 exceeds 1,000 hours TIS or drive shaft No. 6 exceeds 500 hours TIS,