

whether more than the normal acreage of grazing land was required to support livestock during the LAP crop year, and whether supplemental feeding of livestock began earlier or later than normal.

(d) The county committee shall determine the producer's grazing loss and shall consider the amount of available grazing production during the LAP crop year, whether more than the normal acreage of grazing land was required to support livestock during the LAP crop year, and whether supplemental feeding of livestock began earlier or later than normal. The county committee shall request the producer to provide proof of loss of grazing production if the county committee determines the producer's certified loss exceeds other similarly situated livestock producers.

(e) The percentage of loss claimed by a livestock producer shall not exceed the maximum allowable percentage of grazing loss for the county as determined by the county committee according to § 1439.104(a). Livestock producers will not receive benefits under this subpart for any portion of their loss that exceeds 80 percent of normal carrying capacity.

(f) Conservation Reserve Program acres released for haying and/or grazing and seeded small grain forage crops shall not be used to calculate losses under this subpart.

§ 1439.106 Livestock producer eligibility.

(a) Only one livestock producer will be eligible for benefits under this subpart with respect to an individual animal.

(b) Only owners of livestock who themselves provide the pasture or grazing land, including cash leased pasture or grazing land, for the livestock may be considered as livestock producers eligible to apply for benefits under this subpart.

(c) An owner of livestock who uses another person to provide pasture or grazing land on a rate-of-gain basis is not considered to be the livestock producer eligible to apply for benefits under this subpart.

(d) An owner who pledges livestock as security for a loan shall be considered as the person eligible to apply for benefits under this subpart if all other requirements of this part are met. Livestock leased under a contractual agreement which has been in effect at least 3 months and establishes an interest for the lessee in such livestock shall be considered as being owned by the lessee.

(e) Livestock must have been owned for at least three months before becoming eligible for payment.

(f) The following entities are not eligible for benefits under this subpart:

(1) State or local governments or subdivisions thereof; or

(2) Any individual or entity who is a foreign person as determined in accordance with the provisions of §§ 1400.501 and 1400.502 of this chapter.

§ 1439.107 Calculation of assistance.

(a) The value of LAP assistance determined with respect to a livestock producer for each type and weight class of livestock owned or leased by such producer shall be the lesser of the amount of paragraph (b) of this section (the total value of lost feed needs for eligible livestock) or paragraph (c) of this section (the total value of lost eligible pasture), as calculated in this section.

(b) The total value of lost feed needs shall not exceed the amount obtained by multiplying:

(1) The number of days in the payment period the livestock are owned or, in the case of purchased livestock, meet the 3 month ownership requirement; by

(2) The number of pounds of corn per day, as established by CCC, that is determined necessary to provide the energy requirements established for the weight class and type of livestock; by

(3) The five-year national average market price for corn (\$2.56 bushel or \$.0457 per pound); by

(4) The number of eligible animals of each type and weight range of livestock owned or leased by the person; by

(5) The percent of the producer's grazing loss during the relevant period as certified by the producer and approved by the county committee according to § 1439.105.

(c) The total value of lost eligible pasture shall not exceed the amounts for each type of pasture calculated by:

(1) Dividing the number of acres of each pasture type by the carrying capacity established for the pasture; and multiplying:

(2) The result of paragraph (c)(1) of this section for each pasture type; by

(3) \$.071771 (\$.0457 x 15.7); by

(4) The applicable number of days in the LAP payment period; by

(5) The percent of the producer's grazing loss during the relevant period as certified by the producer and approved by the county committee according to § 1439.105.

(d) The final payment shall be the smaller of paragraph (b) of this section or paragraph (c) of this section

multiplied by the national factor if required under § 1439.108. The final payment shall not exceed 50 percent of the smaller of paragraph (b) or (c) of this section determined prior to applying the national factor provided for in § 1439.108.

(e) Seeded small grain forage crops shall not be counted as grazing land under paragraph (c) of this section with respect to supporting eligible livestock.

(f) The number of equine animals that are used to calculate benefits under this subpart and in paragraph (a) of this section are limited to the number actually needed to produce food and fiber on the producer's farm or to breed horses and mules to be used to produce food and fiber on the owner's farm, and shall not include animals which are used for recreational purposes or are running wild or uncontrolled on land owned or leased by the owner.

§ 1439.108 Availability of funds.

In the event that the total amount of claims submitted under this subpart exceeds the \$200 million appropriated for LAP, each payment shall be reduced by a uniform national percentage. Such payment reductions shall be after the imposition of applicable payment limitation provisions.

Signed at Washington, DC, on March 11, 1999.

Keith Kelly,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 99-6429 Filed 3-17-99; 9:47 am]

BILLING CODE 3410-05-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 21

Existence of Airworthiness Design Standards for Acceptance Under the Primary Category Rule

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability of design standards.

SUMMARY: This document announces the availability of airworthiness design standards for acceptance of the Model Deland Travelaire airplane under the FAA's rules on designation of applicable regulations for primary category aircraft. A notice requesting comments on the design standards was published July 29, 1998, and the comment period closed August 28, 1998. No comments were received on the design standards.

DATES: The design standards are effective March 9, 1999.

ADDRESSES: Copies of the Department of Commerce Aeronautics Bulletin 7A, as amended October 1, 1934, and Transport Canada's TP10141E Ultralight (Sportplane) design standard may be obtained from the following: Small Airplane Directorate, Standards Office (ACE-110), Aircraft Certification Service, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106.

FOR FURTHER INFORMATION CONTACT: Roger Chudy, Aerospace Engineer, Standards Office (ACE-112), Small Airplane Directorate, Aircraft Certification Service, FAA; telephone number (816) 426-6934, fax number (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Background

The "primary" category for aircraft was created specifically for the simple, low performance personal aircraft. Section 21.17(f) provides a means for applicants to propose airworthiness standards for their particular primary category aircraft. The FAA procedure establishing appropriate airworthiness standards includes reviewing and possibly revising the applicant's proposal, publication of the submittal in the **Federal Register** for public review and comment, and addressing the comments. After all necessary revisions, the standards are published as approved FAA airworthiness standards.

Accordingly, the applicant, Orlando Helicopter Airways, Inc., submitted a request to the FAA to include the Department of Commerce Aeronautics Bulletin 7A, as amended October 1, 1934, as the design standard for the unmodified airplane structure and Transport Canada's TP10141E Ultralight (Sportplane) design standard for all modifications. The Department of Commerce Aeronautics Bulletin 7A was used in the original certification in March 1928 of the Curtiss Travel Aire 2000; therefore, the FAA considers this standard as continuing to be valid for the unmodified parts of the Deland Travelaire.

On July 29, 1998, the **Federal Register** published an announcement of the proposed design standards and a request for comments. No comments were received to this proposal; therefore, this notice makes the design standards available for the Model Deland Travelaire airplane.

Citation

The authority citation for the airworthiness standards is as follows:

Authority: 42 U.S.C. 7572; 49 U.S.C. 106(g), 40105, 40113, 44701-44702, 44707, 44709, 44711, 44713, 44715, 45303.

Airworthiness Standards for Acceptance Under the Primary Category Rule

The FAA is requiring 500 hours of operational aviation service history of the derivative V8 engine/wood-propeller combination on an airplane rather than the 200 hours offered by the applicant. The applicant has agreed to this position, therefore, the certification basis for the Deland Travelaire will be the Primary Category Rule (part 21, § 21.24) with Department of Commerce Aeronautics Bulletin 7A, as amended October 1, 1934, as the design standard of the unmodified airplane structure and with Transport Canada's TP10141E Ultralight (Sportplane) Design Standard as the design standard for all modifications.

Compliance with the acoustical standards of the latest amendment to 14 CFR part 36 at the time of certification will be required.

Issued in Kansas City, Missouri on March 9, 1999.

Marvin Nuss,

Acting Manager, Small Airplane Directorate.

[FR Doc. 99-6755 Filed 3-18-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99-SW-10-AD; Amendment 39-11080; AD 99-03-10]

RIN 2120-AA64

Airworthiness Directives; Agusta S.p.A. (Agusta) Model A109E Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 99-03-10 which was sent previously to all known U.S. owners and operators of Agusta Model A109E helicopters by individual letters. This AD requires, before further flight, inspections of the exhaust ejector locking system, clamp, and dampers for each engine. This AD also requires, at specified time intervals, verifying the torque of the metallic clamps and installing safety wire on the metallic clamps; inspecting and modifying the ejector saddles and the

locking metallic clamps; and inspecting the metallic clamps, locking mechanisms, and dampers. This amendment is prompted by an inflight incident in which a metallic clamp which secured the left-hand engine exhaust ejector to the ejector saddle became detached and subsequently separated from the helicopter. The actions specified by this AD are intended to prevent loss of the metallic clamp or the engine exhaust ejector, which could result in damage to the main or tail rotor system and subsequent loss of control of the helicopter.

DATES: Effective April 5, 1999, to all persons except those persons to whom it was made immediately effective by Priority Letter AD 99-03-10, issued on January 28, 1998, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 5, 1999.

Comments for inclusion in the Rules Docket must be received on or before May 18, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99-SW-10-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

The applicable service information may be obtained from Agusta S.p.A., 21017 Cascina Costa di Samarate (VA), Via Giovanni Agusta 520, telephone (0331) 229111, fax (0331) 229605-222595. 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: Scott Horn, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5125, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION: On January 28, 1999, the FAA issued Priority Letter AD 99-03-10, applicable to Agusta Model A109E helicopters, which requires, before further flight, inspections of the exhaust ejector to ejector saddle locking system, torque of the metallic clamp, and installation of safety wire and the metallic clamp at the bottom of the ejector saddle for each engine. The AD also requires, at specified time intervals, verifying the torque of the metallic clamps and