

regulation would be confusing. As such, this correction rule substitutes the term "non-manufacturer" for "regular dealer" in § 125.6(a)(2) to ensure consistency with other sections of 13 CFR Part 125 and to remove the ambiguity created by the use of the term "regular dealer."

Second, as set forth in the January 31, 1996 final rule, § 125.6(c) stated that compliance with the Prime Contractor Performance Requirements would be determined as of the date the bid was submitted in a sealed bid procurement, and as of the date the concern submits its best and final offer in a negotiated procurement. This provision is inconsistent with the general responsibility requirements. In determining an offeror's responsibility to perform a specific contract as part of a Certificate of Competency review, SBA determines whether the offeror is capable of performing the contract at the time of award. The offeror can make changes to demonstrate that it can perform the contract up until the time of award. Because the Prime Contractor Performance Requirements are now to be considered an issue of responsibility, compliance with them also should be able to be demonstrated up until the time of award. Thus, this correction rule eliminates § 125.6(c) for internal consistency, and redesignates paragraphs (d), (e), (f), and (g) as paragraphs (c), (d), (e), and (f), respectively.

#### Correction of Publication

Accordingly, the publication on January 31, 1996, of the final regulations that were the subject of FR Doc. 96-1157, is corrected as follows:

#### § 125.6 [Corrected]

1. On page 3315 in the third column, § 125.6(a)(2), remove the words "regular dealer" and add in their place the word "non-manufacturer".

2. On page 3316, in the first column, section 125.6, remove paragraph (c) in its entirety and redesignate paragraphs (d) through (g) as (c) through (f), respectively.

Dated: July 16, 1996.

Ginger Lew,

*Deputy Administrator.*

[FR Doc. 96-19171 Filed 7-26-96; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 25

[Docket No. NM-123; Special Conditions No. 25-ANM-118]

#### Special Conditions: Embraer (Brazil) Aircraft Corporation Model EMB-145 Airplane; High-Intensity Radiated Fields

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final special conditions.

**SUMMARY:** These special conditions are issued for the Embraer Model EMB-145 airplane. This new airplane will utilize new avionics/electronic systems that provide critical data to the flightcrew. The applicable regulations do not contain adequate or appropriate safety standards for the protection of these systems from the effects of high-intensity radiated fields. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**EFFECTIVE DATE:** August 28, 1996.

**FOR FURTHER INFORMATION CONTACT:** Gerry Lakin, FAA, Standardization Branch, ANM-113, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue, SW., Renton, Washington, 98055-4056; telephone (206) 227-1187; facsimile (206) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 30, 1989, Embraer Aircraft Corporation, Caixa Postal 343, 12227-901 Sao Jose dos Campos, Sao Paulo SP Brasil, applied for a new type certificate in the transport airplane category for the Model EMB-145 airplane. The EMB-145 is a T-tail, low swept wing, small transport airplane powered by two Allison GMA-3007A turbofan engines mounted on pylons extending from the aft fuselage. Each engine will be capable of delivering 7,040 pounds thrust. The flight controls will be powered and capable of manual reversion. The airplane has a seating capacity of up to 50 passengers, and a maximum takeoff weight of 42,328 pounds.

##### Type Certification Basis

Under the provisions of § 21.17 of the FAR, Embraer must show that the Model EMB-145 meets the applicable provisions of part 25, effective February 1, 1965, as amended by Amendments 25-1 through 25-75. In addition, the

certification basis for the Model EMB-145 includes part 34, effective September 10, 1990, plus any amendments in effect at the time of certification; and part 36, effective December 1, 1969, as amended by Amendment 36-1 through the amendment in effect at the time of certification. No exemptions are anticipated. These special conditions form an additional part of the type certification basis. In addition, the certification basis may include other special conditions that are not relevant to these special conditions.

If the Administrator finds that the applicable airworthiness regulations (i.e., part 25, as amended) do not contain adequate or appropriate safety standards for the Embraer Model EMB-145 because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16 to establish a level of safety equivalent to that established in the regulations.

Special conditions, as appropriate, are issued in accordance with § 11.49 of the FAR after public notice, as required by §§ 11.28 and 11.29, and become part of the type certification basis in accordance with § 21.17(a)(2).

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, the special conditions would also apply to the other model under the provisions of § 21.101(a)(1).

##### Novel or Unusual Design Features

The Model EMB-145 incorporates new avionic/electronic installations, including a digital Electronic Flight Instrument System (EFIS), Air Data System, Attitude and Heading Reference System (AHRS), Navigation and Communication System, Autopilot System, and a Full Authority Digital Engine Control (FADEC) system that controls critical engine parameters. These systems may be vulnerable to high-intensity radiated fields (HIRF) external to the airplane.

##### Discussion

There is no specific regulation that addresses protection requirements for electrical and electronic systems from HIRF. Increased power levels from ground-based radio transmitters and the growing use of sensitive electrical and electronic systems to command and control airplanes have made it necessary to provide adequate protection.

To ensure that a level of safety is achieved equivalent to that intended by

the regulations incorporated by reference, special conditions are issued for the Embraer Model EMB-145, which would require that new technology electrical and electronic systems, such as the EFIS, FADEC, AHRS, etc., be designed and installed to preclude component damage and interruption of function due to both the direct and indirect effects of HIRF.

With the trend toward increased power levels from ground-based transmitters, plus the advent of space and satellite communications, coupled with electronic command and control of the airplane, the immunity of critical digital avionics systems to HIRF must be established.

It is not possible to precisely define the HIRF to which the airplane will be exposed in service. There is also uncertainty concerning the effectiveness of airframe shielding for HIRF. Furthermore, coupling of electromagnetic energy to cockpit-installed equipment through the cockpit window apertures is undefined. Based on surveys and analysis of existing HIRF emitters, an adequate level of protection exists when compliance with the HIRF protection special condition is shown with either paragraphs 1 or 2 below.

1. A minimum threat of 100 volts per meter peak electric field strength from 10 KHz to 18 GHz.

a. The threat must be applied to the system elements and their associated wiring harnesses without the benefit of airframe shielding.

b. Demonstration of this level of protection is established through system test and analysis.

2. A threat external to the airframe of the following field strengths for the frequency ranges indicated.

Frequency	Peak (V/M)	Average (V/M)
10 KHz–100 KHz .....	50	50
100 KHz–500 KHz .....	60	60
500 KHz–2000 KHz .....	70	70
2 MHz–30 MHz .....	200	200
30 MHz–100 MHz .....	30	30
100 MHz–200 MHz .....	150	33
200 MHz–400 MHz .....	70	70
400 MHz–700 MHz .....	4,020	935
700 MHz–1000 MHz .....	1,700	170
1 GHz–2 GHz .....	5,000	990
2 GHz–4 GHz .....	6,680	840
4 GHz–6 GHz .....	6,850	310
6 GHz–8 GHz .....	3,600	670
8 GHz–12 GHz .....	3,500	1,270
12 GHz–18 GHz .....	3,500	360
18 GHz–40 GHz .....	2,100	750

As discussed above, these special conditions are applicable initially to the Embraer Model EMB-145. Should

Embraer apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well under the provisions of § 21.101(a)(1).

#### Discussion of Comments

Notice of proposed special conditions No. SC-96-2-NM was published in the Federal Register on April 3, 1996 (61 FR 14684). One commenter responded to the request for comments and concurs with the special conditions as proposed.

#### Conclusion

This action affects only certain design features on the Embraer Model EMB-145 airplane. It is not a rule of general applicability and affects only the manufacturer who applied to the FAA for approval of these features on the airplane.

#### List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

#### The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Embraer Model EMB-145 series airplanes.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF)*. Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high-intensity radiated fields.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions*. Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on July 12, 1996.

Stewart R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM-100.

[FR Doc. 96-19107 Filed 7-26-96; 8:45 am]

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#### 14 CFR Part 39

[Docket No. 95-NM-267-AD; Amendment 39-9703; AD 96-16-03]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A320-200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A320-200 series airplanes, that requires modification of the shock absorber sub-assembly of the main landing gear (MLG). This amendment is prompted by reports of internal damage to the shock absorber sub-assembly due to loose screws in the upper bearing dowels. The actions specified by this AD are intended to prevent such damage, which could result in the overextension of the shock absorber and failure of the torque link. This situation may lead to the inability of the MLG to retract and subsequent collapse of the MLG.

**DATES:** Effective September 3, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 3, 1996.

**ADDRESSES:** The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Tim Backman, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2797; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Airbus Model A320-200 series airplanes was published in the Federal Register on April 29, 1996 (61 FR 18704). That action proposed to require modification of the shock absorber sub-assembly of the main landing gear (MLG).

Interested persons have been afforded an opportunity to participate in the