lender, agreeable to SBA which will be responsible for servicing and liquidating loans in the case of default under the agreement by the lender. A lender, or any successor servicer under a pledge or securitization agreement, will be considered the lender of the loan pledged or securitized under SBA rules, and will be bound by all restrictions that otherwise apply to lenders making SBA loans as long as either continues to act as servicer. SBA will hold the lender or successor servicer responsible in the case of a denial of liability or other adjustment to the amount of any SBA guaranty.

§ 120.470 [Amended]

3. Section 120.470(b)(3) is amended by adding the following sentence at the end thereof:

* * * * *

(b) * * *

If pursuant to Section 420 of these regulations an SBLC sells the unguaranteed portion of loans and retains either an amount of unguaranteed portions equal to 5% of the total amount of the loans the unguaranteed portions of which are contained in securitization, or a subordinate tranche of a securitization equal to 5% of the face value of the loans the unguaranteed portions of which are contained in the securitization, it must increase its private capital by 8% of either the face value of the unguaranteed portions of the loans retained or 8% of the face value of the subordinate tranche.

Dated: February 12, 1997.

Ginger Ehn Lew,

Acting Administrator.

[FR Doc. 97–4785 Filed 2–25–97; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–272–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9–10, –15, and –30 Series Airplanes, and C–9 (Military) Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–9–10, –15, and –30 series airplanes, and C–9 (military) airplanes. This proposal would require a one-time visual inspection to determine if all corners of the upper cargo doorjamb have been previously modified, various follow-on repetitive inspections, and modification, if necessary. This proposal is prompted by reports of fatigue cracks found in the fuselage skin and doubler at the corners of the upper cargo doorjamb. The actions specified by the proposed AD are intended to detect and correct such fatigue cracking, which could result in rapid decompression of the fuselage and consequent reduced structural integrity of the airplane.

DATES: Comments must be received by April 7, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–272–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1–L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Wahib Mina, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627–5324; fax (310) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

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 shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 96–NM–272–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–272–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received reports of fatigue cracks in the fuselage skin and doubler at the corners of the upper cargo doorjamb on Model DC–9 series airplanes. These cracks were discovered during inspections conducted as part of the Supplemental Structural Inspection Document (SSID) program, required by AD 96–13–03, amendment 39–9671 (61 FR 31009, June 19, 1996). Investigation revealed that such cracking was caused by fatigue-related stress. Fatigue cracking in the fuselage skin or doubler at the corners of the upper cargo doorjamb, if not detected and corrected in a timely manner, could result in rapid decompression of the fuselage and consequent reduced structural integrity of the airplane.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Service Bulletin DC9–53–276, dated September 30, 1996. The service bulletin describes the following procedures:

1. For airplanes on which the modification specified in Service Bulletin DC9–53–276 has not been accomplished: Performing x-ray inspections to detect cracks of the fuselage skin and doubler at all corners of the upper cargo doorjamb;

2. Conducting repetitive inspections, or modifying the corner skin of the upper cargo doorjamb and performing follow-on action eddy current inspections, if no cracking is detected;

3. Performing repetitive eddy current inspections to detect cracks on the skin adjacent to any corner that has been modified; and

4. Modifying any crack that is found to be 2 inches or less in length at all corners that have not been modified and performing follow-on repetitive eddy current inspections.

Accomplishment of the modification will minimize the possibility of cracks in the fuselage skin and doubler.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require a one-time visual inspection to determine if all corners of the upper cargo doorjamb have been previously modified, various follow-on repetitive inspections, and modification, if necessary. The follow-on repetitive inspections would be required to be accomplished in accordance with the service bulletin described previously.

Differences Between the Proposed Rule and the Relevant Service Information

The referenced service bulletin recommends performing an initial x-ray inspection in the fuselage skin and doubler at all corners of the upper cargo doorjamb. However, the FAA is unaware of the existence of an adequate x-ray inspection method for inspecting corners that have been modified. Therefore, for cases where the corners of the upper cargo doorjamb have been modified, the proposed AD would require an eddy current inspection to detect cracks on skin adjacent to the modification. For cases where the corners of the upper cargo doorjamb have not been modified, the proposed AD would require an x-ray inspection, as described previously. Since these inspections are dependent on whether the corners have been modified or not, the FAA finds that an initial one-time visual inspection is necessary to make such a determination.

Operators should note that, although the service bulletin specifies that the manufacturer must be contacted for disposition of certain conditions, this proposal would require the repair of those conditions to be accomplished in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Cost Impact

There are approximately 93 McDonnell Douglas Model DC–9–10, –15, and –30 series airplanes, and C–9 (military) airplanes, of the affected design in the worldwide fleet. The FAA estimates that 80 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed one-time visual inspection, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the one-time visual inspection proposed by this AD on U.S. operators is estimated to be $4,800, or $60 per airplane, per inspection cycle.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Should an operator be required to accomplish the necessary x-ray inspection, it would take approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of any necessary x-ray inspection action is estimated to be $60 per airplane, per inspection cycle.

Should an operator be required to accomplish the necessary eddy current inspection, it would take approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of any necessary eddy current inspection action is estimated to be $60 per airplane, per inspection cycle.

Should an operator be required to accomplish the necessary modification, it would take approximately 14 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. The cost of required parts could range from $714 per airplane to as much as $1,526 per airplane. Based on these figures, the cost impact of any necessary modification action is estimated to be between $1,554 and $2,366 per airplane.

Regulatory Impact

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a significant regulatory action under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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 the following new airworthiness directive:

McDonnell Douglas: Docket 96–NM–272–AD.

Applicability: Model DC–9–10, –15, and –30 series airplanes, and C–9 (military) airplanes; as listed in McDonnell Douglas Service Bulletin DC9–53–276, dated September 30, 1996; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 (d) 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 as indicated, unless accomplished previously.

To detect and correct fatigue cracking in the fuselage skin or doubler at the corners of the upper cargo doorjamb, which could result in rapid decompression of the fuselage and consequent reduced structural integrity of the airplane, accomplish the following:

Note 2: Where there are differences between the service bulletin and the AD, the AD prevails.

Note 3: The words ''repair'' and ''modify/modification'' in this AD and the referenced service bulletin are used interchangeably.

Note 4: This AD will affect Principal Structural Element (PSE) 53.09.023 of the DC–9 Supplemental Inspection Document (SID).

(a) Prior to the accumulation of 41,000 total landings, or within 3,000 landings after the effective date of this AD, whichever occurs later, perform a one-time visual inspection to determine if the corners of the upper cargo doorjamb have been modified prior to the effective date of this AD.

(b) If the visual inspection required by paragraph (a) of this AD reveals that the corners of the upper cargo doorjamb have not been modified, prior to further flight, perform an x-ray inspection to detect cracks of the fuselage skin and doubler at all corners of the upper cargo doorjamb, in accordance with McDonnell Douglas Service Bulletin DC9–53–276, dated September 30, 1996.

(1) If no crack is detected during the x-ray inspection required by this paragraph, accomplish the requirements of either paragraph (b)(1)(i) or (b)(1)(ii) of this AD, in accordance with McDonnell Douglas Service Bulletin DC9–53–276, dated September 30, 1996.

(i) *Option 1.* Repeat the x-ray inspection required by paragraph (b) of this AD thereafter at intervals not to exceed 3,000 landings; or

(ii) *Option 2.* Prior to further flight, modify the corner skin of the upper cargo doorjamb, in accordance with the service bulletin. Prior to the accumulation of 28,000 landings after accomplishment of the modification, perform an eddy current inspection to detect cracks on the skin adjacent to the modification, in accordance with the service bulletin.

(A) If no crack is detected on the skin adjacent to the modification during the eddy current inspection required by this paragraph, repeat the eddy current inspection thereafter at intervals not to exceed 20,000 landings.

(B) If any crack is detected on the skin adjacent to the modification during any eddy current inspection required by this paragraph, prior to further flight, repair it in accordance with a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

(2) If any crack is found during any x-ray inspection required by this paragraph and the crack is 2 inches or less in length: Prior to further flight, modify/repair it in accordance with the service bulletin. Prior to the accumulation of 28,000 landings after accomplishment of the modification, perform an eddy current inspection to detect cracks on the skin adjacent to the modification, in accordance with the service bulletin.

(i) If no crack is detected during the eddy current inspection required by this paragraph, repeat the eddy current inspection thereafter at intervals not to exceed 20,000 landings.

(ii) If any crack is detected during any eddy current inspection required by this paragraph, prior to further flight, repair it in accordance with a method approved by the Manager, Los Angeles ACO.

(3) If any crack is found during any x-ray inspection required by this paragraph and the crack is greater than 2 inches in length: Prior to further flight, modification it in accordance with a method approved by the Manager, Los Angeles ACO.

(c) If the visual inspection required by paragraph (a) of this AD reveals that the corners of the upper cargo doorjamb have been modified previously: Prior to the accumulation of 28,000 landings after accomplishment of that modification, or within 3,000 landings after the effective date of this AD, whichever occurs later, perform an eddy current inspection to detect cracks on the skin adjacent to the modification, in accordance with McDonnell Douglas Service Bulletin DC9–53–276, dated September 30, 1996.

(1) If no crack is detected during the eddy current inspection required by this paragraph, repeat the eddy current inspection thereafter at intervals not to exceed 20,000 landings.

(2) If any crack is detected during any eddy current inspection required by this paragraph, prior to further flight, repair it in accordance with a method approved by the Manager, Los Angeles ACO.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 5: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(e) 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.

Issued in Renton, Washington, on February 20, 1997.

James V. Devany,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–4714 Filed 2–25–97; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 96–NM–196–AD]

RIN 2120–AA64

Airworthiness Directives; Raytheon Model DH 125–1A and –3A Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Raytheon Model DH 125–1A and –3A series airplanes. This proposal would require repetitive eddy current inspections to detect fatigue cracking of the main entry door/frame pressing, and repair, if necessary. This proposal is prompted by reports of fatigue cracking of the main entry door/frame pressing due to cyclic loading of the door frame. The actions specified by the proposed AD are intended to detect and correct such fatigue cracking, which could lead to the loss of structural integrity of the main entry door, and, consequently, result in decompression of the cabin.

DATES: Comments must be received by April 7, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–196–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Raytheon Aircraft Company, Commercial Service Department, P.O. Box 85, Wichita, Kansas 67201–0085. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or the FAA, Wichita Aircraft Certification Office, Small Airplane Directorate, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas.

FOR FURTHER INFORMATION CONTACT: Larry Engler, Aerospace Engineer, Airframe Branch, ACE–118W, FAA, Wichita Aircraft Certification Office, Small Airplane Directorate, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946–4122; fax (316) 946–4407.

SUPPLEMENTARY INFORMATION:

Comments Invited

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 shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained