

**Classification**

This action is not subject to the provisions of Executive Order 12866 since it involves only internal Agency management. This action is not published for proposed rulemaking because it involves only internal Agency management and publication for notice and comment is unnecessary.

**Environmental Impact Statement**

This document has been reviewed in accordance with RD Instruction 1940-G, "Environmental Program." The agency has determined that this action does not constitute a major Federal action significantly affecting the quality of the human environment and, in accordance with the National Environmental Policy Act of 1969, Pub. L. 91-190, an Environmental Impact Statement is not required.

**Programs Affected**

The Catalog of Federal Domestic Assistance programs impacted by this action are:

- 10.760 Water and Waste Disposal Systems for Rural Communities
- 10.763 Emergency Community Water Assistance Grants
- 10.765 Watershed Protection and Flood Prevention Loans
- 10.770 Water and Waste Disposal Loans and Grants (Section 306C)

**Intergovernmental Consultation**

This program is subject to Executive Order 12372 which requires intergovernmental consultation with State and local officials.

**Civil Justice Reform**

The final rule has been reviewed under Executive order 12988, civil Justice Reform. In accordance with this rule: (1) All State and local laws and regulations that are in conflict with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings of the National Appeals Division (7 CFR part 11), must be exhausted before bringing suit in court challenging action taken under this rule.

**Paperwork Reduction Act**

The information collection requirements contained in this regulation have been previously approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. chapter 35 and have been assigned OMB control number 0575-0015, in accordance with the paperwork Reduction Act of 1995. This rule does not impose any new information collection requirements.

**List of Subjects****7 CFR Part 1942**

Community development, Community facilities, Loan programs,—Housing and community development, Loan security, Rural areas, Water treatment and disposal—Domestic, Water supply—Domestic.

**7 CFR Part 1951**

Accounting servicing, Grant programs—Housing and community development, Reporting requirements, Rural areas.

Therefore, chapter XVIII, title 7, Code of Federal Regulations is amended as follows:

**PART 1942—ASSOCIATIONS**

1. The authority citation for part 1942 continues to read as follows:

**Authority:** 5 U.S.C. 301; 7 U.S.C. 1989; 16 U.S.C. 1005.

**Subpart A—Community Facility Loans**

2. 7 CFR Part 1942 is amended by removing the words "District Director" or "District Directors" wherever they appear and adding in their place, the words "Rural Development Manager" or "Rural Development Managers" respectively in the following places.

- a. § 1942.5(a)(1)(iii);
- b. § 1942.5(b)(1);
- c. § 1942.5(c) introductory text;
- d. § 1942.5(c)(2); and
- e. § 1942.5(c)(3).

3. Section 1942.5 is amended by removing paragraph (b)(1)(ii)(D) and redesignating paragraphs (b)(1)(ii)(E) through (L) as paragraphs (b)(1)(ii)(D) through (K) and in newly redesignated paragraph (b)(1)(ii)(G) by revising the reference "paragraph (b)(1)(ii)(G)" to read "paragraph (b)(1)(ii)(F)" in two places.

**PART 1951—SERVICING AND COLLECTIONS**

4. The authority citation for part 1951 continues to read as follows:

**Authority:** 5 U.S.C. 301; 42 U.S.C. 1480.

**Subpart E—Servicing of Community and Insured Business Programs Loans and Grants**

5. Section 1951.211 is amended by adding the sentence "A civil rights impact analysis is required." at the end of the paragraph.

6. Section 1951.214 is amended by changing the word "FmHA" to "Government."

7. Section 1951.215 (a)(1) is revised to read as follows:

**§ 1951.215 Grants.**

\* \* \* \* \*

(a) \* \* \*

(1) Servicing actions will be carried out in accordance with the terms of the "Association Water or Sewer System Grant Agreement," and RUS Bulletin 1780-12, "Water and Waste Grant Agreement" (available from any USDA/Rural Development office or the Rural Utilities Service, United States Department of Agriculture, Washington, D.C. 20250-1500). Grant agreements with a revision date on or after January 29, 1979, require that the grantee request disposition instructions from the Agency before disposing of property which is no longer needed for original grant purposes.

\* \* \* \* \*

Dated: March 17, 1998.

**Jill Long Thompson,**

*Under Secretary, Rural Development.*

[FR Doc. 98-8589 Filed 4-1-98; 8:45 am]

BILLING CODE 3410-15-M

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 21****Airworthiness Standards for Acceptance Under the Primary Category Rule**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final Airworthiness Standards for Acceptance of the Dragonfly Model 333 Helicopter Under the Primary Category Rule.

**SUMMARY:** This document announces the approval of final airworthiness standards for acceptance of the Dragonfly Model 333 helicopter under the primary category rule. The final airworthiness standards are provided in this document.

**DATES:** This final airworthiness standard is effective March 10, 1998.

**FOR FURTHER INFORMATION CONTACT:** Scott Horn, Aerospace Engineer, Rotorcraft Standards Staff, Rotorcraft Directorate, Aircraft Certification Service, Federal Aviation Administration, Fort Worth, Texas 76193-0110; telephone number (817) 222-5125, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:** Any person may obtain a copy of this information by contacting the person named above under **FOR FURTHER INFORMATION CONTACT**.

## Background

The primary category rule was created specifically for the simple, low performance personal aircraft. Potential applicants are permitted to propose airworthiness standards considered appropriate for the intended product. Accordingly, the applicant, Dragon Fly, submitted a request to include the Italian airworthiness authority's Very Light Rotorcraft (VLR) rules into primary category for rotorcraft.

Dragon Fly justifies this request by noting that the Italian airworthiness authority has approved the applicant's aircraft in Italy under the VLR rules. The FAA reviewed the submittal and chose to list the Italian VLR rules as the equivalent 14 CFR parts 27 and 33 (parts 27 and 33) rules and, in some cases, added paragraphs to increase the requirement.

The FAA issued the proposed airworthiness standards; request for comments, on September 3, 1997 (62 FR 49175, September 19, 1997). One comment was received. The commenter concurs with the proposed airworthiness standards. However, the commenter states that additional airworthiness requirements are needed to require the manufacturer to provide data on the response of the helicopter to flight control inputs and to require operational limitations or other measures for those aircraft that are highly responsive. The FAA does not agree that additional requirements are needed. The response of the rotor and helicopter to various flight control inputs will be fully investigated under the current requirements. To investigate the need for operational limitations, the FAA requires a Flight Standardization Board on all light helicopters. Primary category helicopters are included in this requirement.

Additionally, after the publication of the proposed airworthiness standards, the FAA met with Dragon Fly to discuss the certification. The applicant provided further details of their design which affect the airworthiness standards to be listed in the certification basis. Section 27.2 is not required since the safety belt and shoulder harness requirements will be addressed in § 27.785. Sections 27.65(b) determination of  $V_y$ , 27.141(c) requirements for night operation, 27.303 a safety factor of 1.5 for loads, 27.775 windshield and window requirements, and 27.1519 weight and center of gravity limitation requirements will be added. A wind velocity of 17 knots from all azimuths will be added to PCR.143(c) making it equivalent to 27.143(c). Paragraph 27.143(c) will replace PCR.143(c). The helicopter will

not be configured with wheels, tires, brakes, floats, cargo or baggage compartments, skis, or shock absorbers. Therefore, §§ 27.475, 27.477, 27.479, 27.481, 27.483, 27.485, 27.493, 27.497, 27.505, 27.521, 27.731, 27.733, 27.735, 27.737, 27.751, 27.753, 27.755, and 27.787 will be removed. The applicant also requested VFR night operation. Therefore, §§ 27.1381, 27.1383, 27.1385, 27.1387, 27.1389, 27.1391, 27.1393, 27.1395, 27.1397, and 27.1399, will be added. Section 27.923(l), as published in the "Request for Comments" (62 FR 49175, September 19, 1997), should have read 27.923(i). Section 27.923(h) has been added because paragraph (h) was part of the original Dragon Fly Registro Aeronautico Italiano (RAI) VLR certification.

The authority citation for these airworthiness standards is as follows:

42 U.S.C. 7572; 49 U.S.C. 106(g), 40105, 40113, 44701–44702, 44707, 44708, 44711, 44713, 44715, 45303.

## Airworthiness Standards for Acceptance Under the Primary Category Rule (PCR)

### PCR.1 Applicability

(a) This document prescribes airworthiness standards for the issue of a type certificate and changes to that type certificate for the Dragon Fly Model 333, a Primary Category rotorcraft and its engine.

(b) Each person who applies under part 21 for a change to this certificate must show compliance with these requirements. 27.21; 27.25(a) and (b); 27.27; 27.29; 27.31; 27.33; 27.45(a), (b), (c), and (d); 27.51; 27.65(b); 27.71; 27.73(a)(1)(i), (a)(1)(iii), and (a)(2)(i); 27.75(a)(1), (a)(2)(i), and (a)(3); 27.79(a), and (b)(1); 27.141(a), (b)(2), (b)(3) and (c); 27.143(a), (b), (c), (d), and (e); 27.151; 27.161; 27.171; 27.173; 27.175; 27.177; 27.231; 27.235; 27.239; 27.241; 27.251; 27.301; 27.303; 27.305; 27.307; 27.309; 27.321; 27.337; 27.339; 27.341; 27.351; 27.361; 27.391; 27.395; 27.397; 27.399; 27.411; 27.427; 27.471; 27.473; 27.501; 27.547; 27.549; 27.561(a), (b)(1), and (c);

PCR.561(b)(2) Each occupant and each item of mass inside the cabin that could injure an occupant are restrained when subjected to the following ultimate inertial load factors relative to the surrounding structure: (i) Upward—3g. (ii) Forward—9g. (iii) Sideward—3g. (iv) Downward—9g. 27.571(a), (b), and (c); 27.601; 27.603; 27.605; 27.607; 27.609; 27.611; 27.613(a);

PCR.613(b) The design values must be so chosen that the probability of any structure being understrength because of material variations is extremely remote.

(c) Values contained in MIL-HDBK-5, MIL-HDBK-17 Part I, ANC-17 Part II, ANC-18, MIL-HDBK-23 Part I, and ANC-23 Part II must be used unless shown to be inapplicable in a particular case.

(d) The strength, detail design, and fabrication of the structure must minimize the probability of disastrous fatigue failure. 27.619; 27.621; 27.623; 27.625;

PCR.625(d) Each seat and safety belt with harness attachment to the structure must be shown by analysis, tests, or both, to be able to withstand the inertia forces prescribed in PCR.561(b)(2) multiplied by a fitting factor of 1.33. 27.629; 27.653; 27.659; 27.661; 27.663; 27.671; 27.673; 27.675; 27.679; 27.681; 27.683; 27.685; 27.687; 27.691; 27.723; 27.725; 27.727; 27.771; 27.773; 27.775; 27.777; 27.779; 27.783; 27.785 (a), (b), (c), (e), (f), (g), (h), (i), and (j); 27.807 (a), (b), and (c); 27.831; 27.853(a), (b), and (c)(1); 27.855; 27.859(a) and (b); 27.861; 27.863; 27.871; 27.873; 27.901;

PCR.903(a) Engine type certification. The engine must have an approved type certificate or meet the requirements provided in this document for the engine. The engine must be qualified in accordance with 33.49(d) or be otherwise approved for the intended usage. 27.903(b); 27.907; 27.917; 27.921; 27.923(a), (b), (c), (d), (f), (g), (h) and (i); 27.927; 27.931; 27.935; 27.951; 27.955(a)(1), (2), (3), (4), (5), (6);

PCR.955(a)(7) The fuel filter required by 27.997 must be blocked to the degree necessary to provide the highest pressure drop across the filter prior to the filter going into bypass. 27.955(b) and (c); 27.959; 27.961; 27.963 [Amdt. 27-23];

PCR.965 Fuel Tank Tests Each fuel tank must be able to withstand, without failure or leakage:

(a) For each conventional metal tank and nonmetallic tank with walls not supported by the rotorcraft structure, a pressure of 3.5 p.s.i.

(b) For each integral tank, the pressure developed during the maximum limit acceleration of the rotorcraft with a full tank, with simultaneous application of the critical limit structure loads.

(c) For each nonmetallic tank with walls supported by the rotorcraft structure and with actual support conditions, a pressure of 2.0 p.s.i. The supporting structure must be designed for the critical loads occurring in the flight or landing condition combined with the fuel pressure loads resulting from the corresponding accelerations. 27.969;

PCR.971 Fuel Tank Sump. (a) Each fuel tank must have a drainable sump with an effective capacity in any ground

attitude to be expected in service of 0.10 percent of the tank capacity or 120 cc, whichever is greater, unless—

(1) The fuel system has a sediment bowl or chamber that is accessible for preflight drainage and has a minimum capacity; and

(2) Each fuel tank drain is located so that in any ground attitude to be expected in service, water will drain from all parts of the tank to the sediment bowl or chamber.

(b) Each sump, sediment bowl, and sediment chamber drain required by this section must comply with the drain provisions of paragraph 27.999(b).

27.973; 27.975; 27.977; 27.991; 27.993; 27.995; 27.997; 27.999;

PCR.1011 Engine Oil System: General.

(a) Each engine must have an independent oil system that can supply it with the appropriate quantity of oil at a temperature not above that safe for continuous operation.

(b) The usable capacity of each oil system may not be less than the product of the endurance of the rotorcraft under critical operating conditions and the maximum oil consumption of the engine under the same conditions.

(c) If an engine depends upon a fuel/oil mixture for lubrication, then a reliable means of providing it with the appropriate mixture must be established. 27.1013; 27.1015; 27.1017; 27.1019(b); 27.1021; 27.1027; 27.1041; 27.1043; 27.1045; 27.1091; 27.1093; 27.1121; 27.1123; 27.1141; 27.1143; 27.1145; 27.1147; 27.1163; 27.1183; 27.1185; 27.1187; 27.1189; 27.1191; 27.1193 (a), (b), (c), (d), and (e); 27.1194; 27.1301; 27.1303; 27.1305 (a), (c) through (m). Paragraph (r) is deleted from this Notice. It was inadvertently included in the request for comments but applies to turbine installations only.

PCR.1305(b) A cylinder head temperature warning device to indicate when the temperature exceeds a safe value. 27.1307; 27.1309 (a) and (c); 27.1321 (a) and (c); 27.1322; 27.1323 (a) and (b); 27.1325 (a), (c), and (d); 27.1327; 27.1337; 27.1351; 27.1353; 27.1357; 27.1361 (a) and (c); 27.1365; 27.1367; 27.1381; 27.1383; 27.1385; 27.1387; 27.1389; 27.1391; 27.1393; 27.1395; 27.1397; 27.1399; 27.1401; 27.1411; 27.1413; 27.1461; 27.1501; 27.1503; 27.1505; 27.1509; 27.1519; 27.1521; 27.1523; 27.1525; 27.1527; 27.1529; 27.1541; 27.1543; 27.1545; 27.1547; 27.1549; 27.1551; 27.1553; 27.1555; 27.1557 (a), (b), and (d);

PCR.1557(c) Fuel and Oil Filler Openings Marking. The following apply:

(1) Fuel filler openings must be marked at or near the filler cover with—

(i) The word "fuel";

(ii) For reciprocating engine powered rotorcraft, the minimum fuel grade; and  
(iii) For each two stroke engine without a separate oil system, the fuel/oil mixture.

(2) Oil filler openings must be marked at or near the filler cover with the word "oil."

27.1559; 27.1565; 27.1581; 27.1583; 27.1585; 27.1587; 27.1589; 33.5; 33.7 (a) and (b); 33.8; 33.15; 33.17 (a), (b), (c), and (e);

PCR.33.19 Engine design and construction must minimize the development of an unsafe condition of the engine between overhaul periods.

33.21; 33.23; 33.25; 33.29(a); 33.31; 33.33; 33.35; 33.37; 33.39;

PCR.33.39(d) For engine lubrication depending upon oil premixed with fuel in a declared fixed percentage, it must be demonstrated that this mixture can assure appropriate engine lubrication, throughout the range of conditions in which the rotorcraft is expected to operate, to include reduced fuel consumption conditions. 33.41; 33.42;

PCR.33.43 Vibration test. Each engine must undergo a vibration survey when installed in the airframe to show compliance with 27.907 and 33.33. The survey must be conducted throughout the expected operating range of rotational speed and power of the engine. Each accessory drive and mounting attachment must be loaded with the maximum loads expected in service. 33.45; 33.47;

PCR.33.49 Endurance Test

(a) The engine must be subjected to an endurance test that includes a total of 50 hours of operation and consists of the cycles specified in (b) below.

(b) Each cycle consists of 120 minutes of run time and must be conducted as follows:

(1) A start and idle period of 5 minutes.

(2) Increase to takeoff torque and maximum speed for takeoff torque and maintain the takeoff condition for a period of 5 minutes.

(3) Decrease to idle and maintain the idle condition for 5 minutes.

(4) Increase to takeoff torque and maximum speed for takeoff torque and maintain the takeoff condition for a period of 5 minutes.

(5) Decrease to idle and maintain the idle condition for 5 minutes.

(6) Increase to takeoff torque and maximum speed for takeoff torque and maintain the takeoff condition for a period of 5 minutes.

(7) Decrease to idle and maintain the idle condition for 5 minutes.

(8) Increase to 75 percent of maximum continuous torque and maximum speed

for 75 percent of maximum continuous torque and maintain this condition for a period of 15 minutes.

(9) Decrease to idle and maintain the idle condition for 5 minutes.

(10) Increase to maximum continuous torque and maximum speed for maximum continuous torque and maintain this condition for a period of 60 minutes.

(11) Decrease to idle and maintain the idle condition for 5 minutes.

(12) Perform an engine shutdown.

(c) During or following the endurance test the fuel and oil consumption must be determined. 33.51; 33.53; 33.55; 33.57.

Noise requirements of FAR Part 36 Noise Standards Appendix J amended by amendments 36-1 through the latest amendment in effect at the time of Type Certification.

Issued in Fort Worth, Texas, on March 10, 1998.

**Eric Bries,**

*Assistant Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 95-NM-207-AD; Amendment 39-10436; AD 98-07-16]

RIN 2120-AA64

#### Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 737-300, -400, and -500 series airplanes, that requires interchanging the location of the hydraulic fuse and the flow limiter of the standby hydraulic system of the leading edge. This amendment also requires replacing the existing hydraulic fuses in the standby hydraulic system with new fuses. This amendment is prompted by reports of a performance test of the hydraulic fuses, which revealed that the positioning of the flow limiter in the existing configuration, and excessive fusing volumes of some of the fuses in extreme cold environment, can adversely affect the operation of the fuse. The actions specified by this AD are intended to