legislation do not constitute a significant impact on a substantial number of small businesses.

SBA certifies that this interim final rule does not impose any additional reporting or recordkeeping requirements under the Paperwork Reduction Act, 44 U.S.C. chapter 35.

For purposes of Executive Order 12612, SBA certifies that this interim final rule has no federalism implications warranting preparation of a Federalism Assessment.

For purposes of Executive Order 12778, SBA certifies that this interim final rule is drafted, to the extent practicable, to accord with the standards set forth in section 2 of that Order.

List of Subjects in 13 CFR Part 120

Loan programs—business, Small businesses.

Accordingly, pursuant to authority contained in section 5(b)(6) of the Small Business Act (15 U.S.C. 634(b)(6)), SBA amends part 120, chapter I, title 13, Code of Federal Regulations as follows:

PART 120—BUSINESS LOANS

1. The authority citation for Part 120 continues to read as follows:

Authority: 15 U.S.C. 634(b)(6) and 636 (a) and (h).

2. Revise § 120.845 to read as follows:

§ 120.845 Premier Certified Lenders Program (PCLP).

The SBA has established a pilot program to designate a number of CDCs as Premier Certified Lenders (''Premier CDCs''), and to authorize them to approve, close, service, foreclose, litigate, and liquidate 504 loans subject to SBA regulations, procedures, and policies. A Premier CDC's authority to approve loans under the Program is subject to SBA's determination that the loan and Borrower meet SBA's eligibility requirements.

(a) *PCLP loan approvals.* A Premier CDC notifies SBA of its approval of a PCLP loan by submitting appropriate documentation to SBA's loan processing center. SBA will notify the Premier CDC of the SBA loan number (if it does not identify a problem with eligibility, and funds are available).

(b) *Premier CDC Exposure.* A Premier CDC must reimburse SBA for 10 percent of any loss incurred by SBA as a result of a default by the Premier CDC on a Debenture issued under the PCLP (''Exposure'').

(c) *Loss reserve.* A Premier CDC must establish a loss reserve to pay its Exposure to SBA.

(1) *Assets.* A Premier CDC's loss reserve must be composed of any combination of: segregated funds on deposit in one or more federally insured depository institutions; or irrevocable letters of credit. All loss reserve deposits and letters of credit must be assigned by the Premier CDC to SBA in a manner acceptable to SBA. A Premier CDC's loss reserve deposits in an institution may exceed the institution's insured amount, but only if the institution is ''well capitalized'' as defined in regulations of the Federal Deposit Insurance Corporation, as amended (12 CFR 325.103) (''well capitalized bank''). A loss reserve irrevocable letter of credit must (i) be issued by a well capitalized bank, (ii) have a term equal to or longer than the term of the financings it secures, and (iii) be otherwise acceptable to the SBA.

(2) *Contributions.* A Premier CDC's loss reserve must total 1 percent of the Debentures it issues under the PCLP Program. A Premier CDC must contribute 50 percent of the required loss reserve attributable to each financing when the Debenture it issues to fund the financing is closed, 25 percent within 1 year after the Debenture is closed, and 25 percent within 2 years after the Debenture is closed.

(3) *Reimbursement.* SBA determines a Premier CDC's Exposure on a loan and withdraws the amount necessary to cover the Exposure. If, after full use of any assets in the loss reserve, there are not enough loss reserve assets to cover a Premier CDC's Exposure, the Premier CDC must pay SBA any difference between the Exposure and the loss reserve assets withdrawn by SBA to cover the Exposure within 45 days of a demand for payment by SBA.

(4) *Replenishment.* If SBA withdraws assets from the loss reserve to cover a Premier CDC's Exposure, the CDC must replace the withdrawn loss reserve assets within 30 days of the withdrawal with contributions equal to or greater than the amount of the assets withdrawn.

(5) *Withdrawal.* A Premier CDC may withdraw loss reserve assets attributable to any repaid Debenture upon written approval by SBA.

(d) *Review.* SBA will review a Premier CDC's financings annually.

(e) *Suspension and revocation.* The AA/FA may suspend or revoke a CDC's Premier designation upon written notice stating the reasons for the suspension or revocation at least 10 business days prior to the effective date of the suspension or revocation. Reasons for suspension or revocation may include loan performance unacceptable to SBA, failure to meet loss reserve or eligibility criteria, or violations of applicable statutes, regulations, or published SBA policies and procedures. A Premier CDC may appeal the suspension or revocation made under this section pursuant to the procedures set forth in part 134 of this chapter. The action of the AA/FA shall remain in effect pending resolution of the appeal.

(f) *Applications.* A CDC may obtain information concerning this pilot program from the Office of Program Development in the Office of Financial Assistance at SBA's Headquarters. A CDC may submit its application to the SBA field office in which it is most active. The SBA field office will send the application with its recommendation to the AA/FA for a final decision.

(g) *Acceptance into program.* When determining a CDC's application, SBA will consider the CDC's ability to work with the local SBA office and the quality of past performance.

(h) *Program period.* The PCLP pilot program ends on October 1, 2000.

Dated: April 28, 1998.

Aida Alvarez,

Administrator.

[FR Doc. 98–11848 Filed 5–4–98; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–300–AD; Amendment 39–10511; AD 98–09–30]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A330–301 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A330–301 series airplanes. This action requires a one-time visual inspection to measure clearances between the engine forward feed pipe and shroud sleeve in the engine pylon; and repetitive operational tests for fuel leakage, and replacement of the shroud sleeve with a new improved part, if necessary. This amendment is prompted by the issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified in this AD are intended to prevent fuel from leaking into the pylon primary structure and into the engine

nacelle core zone, which could result in a fire in the engine.

DATES: Effective May 20, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 20, 1998.

Comments for inclusion in the Rules Docket must be received on or before June 4, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 97–NM–300–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

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 FAA, Transport Airplane Directorate, 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: Norman B. Martenson, Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2110; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Airbus Model A330–301 series airplanes. The DGAC advises that it has received reports of insufficient overlap between the fuel feed pipe and the shroud sleeve. The insufficient overlap has been attributed to an error during manufacturing of the shroud sleeve. Such insufficient overlap could cause an improper O-ring seal between the fuel feed pipe and the shroud sleeve. In the event of a leak in the fuel feed pipe, such insufficient overlap could permit fuel to leak into the pylon primary structure and into the engine nacelle core zone. This condition, if not corrected, could result in a fire in the engine.

Explanation of Relevant Service Information

Airbus has issued Service Bulletin A330–28–3046, Revision 01, dated November 12, 1996, which describes procedures for a one-time visual inspection to measure clearances of the overlap between the engine forward feed pipe and shroud sleeve in the engine pylon, and repetitive operational tests for fuel leakage. The DGAC classified this service bulletin as mandatory, and issued French airworthiness directive 96–174–034(B)R1, dated January 2, 1997, in order to assure the continued airworthiness of these airplanes in France.

Airbus also has issued Service Bulletin A330–28–3045, dated August 9, 1996, which describes procedures for replacing the shroud sleeve with a newly designed shroud sleeve. The DGAC approved this service bulletin.

FAA's Conclusions

This airplane model is manufactured in France and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.19) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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.

Explanation of Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require accomplishment of the actions specified in the service bulletins described previously.

Cost Impact

None of the Airbus Model A330–301 series airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 4 work hours to accomplish the required actions, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this AD would be $240 per airplane.

Determination of Rule's Effective Date

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and 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 Number 97–NM–300–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.

For the reasons discussed above, I certify that this action (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 it 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 the following new airworthiness directive:

98–09–30 Airbus: Amendment 39–10511. Docket 97–NM–300–AD.

Applicability: Airbus Model A330–301 series airplanes equipped with Pratt & Whitney or General Electric engines on which Airbus Modification 44649 has not been accomplished, 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 prevent fuel from leaking into the pylon primary structure and into the engine nacelle core zone, which could result in a fire in the engine; accomplish the following:

(a) Within 500 flight hours after the effective date of this AD, perform a one-time visual inspection to measure the clearances between the engine forward feed pipe and the shroud sleeve of the left- and right-hand engine pylons, in accordance with Airbus Service Bulletin A330–28–3046, Revision 01, dated November 12, 1996. If the measured clearance is greater than 6 millimeters (mm), no further action is required by this AD.

(b) If the measured clearance is less than or equal to 6 mm, prior to further flight, perform an operational test to check for fuel leaks in accordance with Airbus Service Bulletin A330–28–3046, Revision 01, dated November 12, 1996.

(1) If no leaking is found, repeat the operational test thereafter at intervals not to exceed 500 flight hours until the requirements of paragraph (c) of this AD are accomplished.

(2) If any leaking is found, prior to further flight, replace the shroud sleeve with a new improved part in accordance with Airbus Service Bulletin A330–28–3045, dated August 9, 1996. Accomplishment of this replacement constitutes terminating action for the repetitive operational testing requirements of this AD.

(c) For any airplane on which the measured clearance is less than or equal to 6 mm and no leaking is found during any operational test required by paragraph (b) of this AD: Within 1 year after the effective date of this AD, replace the shroud sleeve with a new improved part in accordance with Airbus Service Bulletin A330–28–3045, dated August 9, 1996. Accomplishment of this modification constitutes terminating action for the repetitive operational testing requirements of paragraph (b) of this AD.

(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, International Branch, ANM–116, FAA, Transport Airplane directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

(e) Special flight permits may be issued in accordance with §§ 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.

(f) The replacement shall be done in accordance with Airbus Service Bulletin A330–28–3045, dated August 9, 1996. The inspection and operational test (if accomplished) shall be done in accordance with Airbus Service Bulletin A330–28–3046, Revision 01, dated November 12, 1996. 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; 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 French airworthiness directive 96–174–034(B)R1, dated January 2, 1997.

(g) This amendment becomes effective on May 20, 1998.

Issued in Renton, Washington, on April 24, 1998.

Gary L. Killion,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98–11563 Filed 5–4–98; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–131–AD; Amendment 39–10512; AD 98–10–01]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model MD–11 series airplanes. This action requires a revision of the Airplane Flight Manual to alert the flightcrew that both flight management computers (FMC's) must be installed and operational. This AD also requires an inspection to determine the serial number of the FMCs, and follow-on corrective actions, if necessary. This amendment is prompted by a report indicating that, due to incorrect multiplexers that were installed in the flight management computer system (FMC'S) during production, certain data busses failed simultaneously during a ground test. The actions specified in this AD are intended to prevent loss of airspeed and altitude indications on both primary flight displays in the cockpit, and/or loss or degradation of the autopilot functionality due to installation of incorrect multiplexers, and consequent failure of the data busses.

DATES: Effective May 20, 1998.

The incorporation by reference of certain publications listed in the