

requested area including processing, closing, servicing, and, if authorized, liquidating 504 loans. It must also demonstrate the need for 504 services in the Area of Operations and present a plan for servicing the area. If there is already one or more CDCs in the requested Area of Operations, the applicant must justify the need for another. In addition, an applicant to service an area as a Multi-State CDC must show that:

(1) The requirements in § 120.822, Membership, are met separately for the Area of Operation within the CDC's State of incorporation and for each additional State in which it operates or seeks to operate as a Multi-State CDC;

(2) The requirements regarding Boards of Directors in § 120.823, CDC Board of Directors and Loan Committees, are met separately for the State of incorporation and for each additional State in which it operates or seeks to operate as a Multi-State CDC;

(3) The CDC Board of Directors must have the same number of members residing or working in the CDC's State of incorporation and each other State in which it operates or seeks to operate as a Multi-State CDC; and

(4) The CDC must have separate Loan Committees in its State of incorporation and in each State in which the CDC operates or seeks to operate as a Multi-State CDC, comprised of members residing or working in that State.

10. Revise § 120.837 to read as follows:

§ 120.837 SBA decision on applications for a new CDC or for an existing CDC to expand Area of Operations.

(a) The processing District Office must solicit the comments of any other District Office in which the CDC operates or proposes to operate. The processing District Office must determine that the CDC is in compliance with SBA's regulations, policies, and performance benchmarks, including pre-approval and annual review by SBA of any management or staff contracts, and the timely submission of all annual reports. In making its recommendation on the application, the District Office may consider any information presented to it regarding the requesting CDC, the existing CDC, or CDCs that may be affected by the application, and the proposed area of operation.

(b) The District Office will submit the application, recommendation, and supporting materials within 60 days of receipt of a complete application from the CDC to the AA/FA, who will make the final decision. The AA/FA may consider any available information.

(c) If a CDC is approved to operate as a Multi-State CDC, any unilateral authority that a CDC has in its State of incorporation under any SBA program (such as the Accredited Lenders Program (ALP), Premier Certified Lenders Program (PCLP), or Expedited Closing Process (Priority CDC)) does not carry over into a State in which it is operating or is approved to operate as a Multi-State CDC. The CDC must earn the status in each State based solely on its activity in that State.

Dated: September 23, 1999.

Aida Alvarez,
Administrator.

[FR Doc. 99-29090 Filed 11-5-99; 8:45 am]

BILLING CODE 8025-01-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-182-AD]

RIN 2120-AA64

Airworthiness Directives; Dornier Model 328-100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to all Dornier Model 328-100 series airplanes. That action would have required replacement of the Anti-Skid Control Unit (ASCU) of the aircraft braking system with an improved unit. Since the issuance of the NPRM, the manufacturer has advised the Federal Aviation Administration (FAA) that the entire Model 328-100 fleet has been retrofitted with the improved ASCU, and all ASCU spares have been modified or otherwise removed from service. Accordingly, the proposed rule is withdrawn.

FOR FURTHER INFORMATION CONTACT:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98055-4056; telephone (425) 227-2196; fax (425) 227-1320.

SUPPLEMENTARY INFORMATION: A

proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD), applicable to all Dornier Model 328-100 series airplanes, was published in the **Federal Register** as a Notice of Proposed Rulemaking (NPRM) on September 22,

1997 (62 FR 49457). The proposed rule would have required replacement of the Anti-Skid Control Unit (ASCU) of the aircraft braking system with an improved unit. That action was prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The proposed actions were intended to prevent disconnect of the ASCU and reversion to manual braking efficiency during operation on runways contaminated by standing water, slush, or wet snow, which could result in reduced braking efficiency.

Actions That Occurred Since the NPRM Was Issued

Since the issuance of that NPRM, the manufacturer has provided the FAA with confirmation that the entire fleet of Dornier Model 328-100 series airplanes has been retrofitted with the improved ASCU, and all ASCU spares have been modified or otherwise removed from service.

FAA's Conclusions

Upon further consideration, the FAA has determined that the proposed actions of the NPRM (Rules Docket 95-NM-182-AD) are unnecessary since the unsafe condition that those actions were intended to address no longer exists. Accordingly, the proposed rule is hereby withdrawn.

Withdrawal of this notice of proposed rulemaking constitutes only such action, and does not preclude the agency from issuing another notice in the future, nor does it commit the agency to any course of action in the future.

Regulatory Impact

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed rule nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket 95-NM-182-AD, published in the **Federal Register** on September 22, 1997 (62 FR 49457), is withdrawn.

Issued in Renton, Washington, on November 2, 1999.

D.L. Riggins,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99-29175 Filed 11-5-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-SW-63-AD]

Airworthiness Directives; Eurocopter France Model SA. 315B Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the superseding of an existing airworthiness directive (AD), applicable to Eurocopter France Model SA. 315B helicopters, that currently requires an initial and repetitive visual inspections and modification, if necessary, of the horizontal stabilizer spar tube (spar tube). This action would require the same corrective actions as the existing AD, and would require an additional dye-penetrant inspection of the half-shell attachment clamps (clamps). This proposal is prompted by an in-service report of fatigue cracks that initiated from corrosion pits. The actions specified by the proposed AD are intended to prevent fatigue failure of the spar tube, separation of the horizontal stabilizer and impact with the main or tail rotor, and subsequent loss of control of the helicopter.

DATES: Comments must be received on or before January 7, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-63-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. 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 American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

FOR FURTHER INFORMATION CONTACT: Richard Monschke, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5116, fax (817) 222-5961.

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 should 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 No. 98-SW-63-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, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas, 76137.

Discussion

The Direction Generale de L'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on Eurocopter France Model SA. 315B helicopters. The DGAC advises that fatigue failure of the spar tube can result in separation of the horizontal stabilizer and impact with the main or tail rotor, and subsequent loss of control of the helicopter.

Eurocopter France has issued Eurocopter France Service Bulletin No. 55.01, Revision 4, dated May 4, 1998,

which specifies initial and repetitive visual inspections, modification of the horizontal stabilizer spar tube if necessary, and a one-time dye penetrant inspection of the half shell attachment clamps with repetitive visual inspections of those clamps. The DGAC classified this service bulletin as mandatory and issued DGAC AD 96-277-037(A)R2, dated July 29, 1998, in order to assure the continued airworthiness of these helicopters in France.

On June 2, 1998, the FAA issued AD 98-12-21, Amendment 39-10575 (63 FR 31610), to require an initial and repetitive visual inspections and modification, if necessary, of the horizontal stabilizer spar tube. That action was prompted by an in-service report of fatigue cracks that initiated from corrosion pits. The requirements of that AD are intended to prevent fatigue failure of the spar tube, separation of the horizontal stabilizer and impact with the main or tail rotor, and subsequent loss of control of the helicopter.

Since the issuance of that AD, the DGAC has advised that the clamps should be inspected for cracks and replaced if a crack is found. If no crack is found, a safety wire should be wrapped around each clamp so that the clamp is held together in the event of clamp failure.

This helicopter model is manufactured in France and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) 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.

Since an unsafe condition has been identified that is likely to exist or develop on other Eurocopter France Model SA. 315B helicopters of the same type design, the proposed AD would supersede AD 98-12-21 to require an initial and repetitive visual inspections and modification, if necessary, of the spar tube, as well as installing safety wire around each attachment clamp.

The FAA estimates that 28 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately:

- 0.5 work hour per helicopter to accomplish the inspections;