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SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

Small Business Size Regulations; Affiliation With Investment Companies; Correction

AGENCY: Small Business Administration.

ACTION: Final rule; correction.

SUMMARY: This document contains corrections to the final rule published in the **Federal Register** on March 12, 1997(62 FR 11317). That rule amended 13 CFR 121.103(b)(5) by incorporating changes made to the Small Business InvestmentAct of 1958 (SBIAct). It contained several minor errors which could be misleading if not corrected.

EFFECTIVE DATE: This corrective rule is effective retroactive to March 12, 1997.

FOR FURTHER INFORMATION CONTACT: Gary M. Jackson, AssistantAdministrator for Size Standards, 409 3rd Street, SW.,Washington, DC 20416, (202) 202–6618.

SUPPLEMENTARY INFORMATION: The final rule published at 62 FR 11317 onMarch 12, 1997 inadvertently contained minor typographical errors. First, the name of the SBIAct was incorrectly stated as the Small Business Investment Company Act of 1958.The correct name is the Small Business Investment Act of1958. The word ''an'' was incorrectly stated as ''(and''; ''(b)(5)(i)'' was incorrectly stated as ''(b)(5)(I)''. This rule corrects these erroneous references.

Therefore, in FR Doc. 97–5739, published in the **FederalRegister** issue of March 12, 1997, (62 FR 11317), on page 11318, in the second column, the § 121.103(b)(5) introductory text is corrected to read as follows:

* * * * *

(5) For financial, management or technical assistance under the Small Business Investment Act of 1958, as amended, an applicant is not affiliated with the investors listed in paragraphs (b)(5) (i) through (vi) of this section.

* * * * *

Dated: May 2, 1997.

Aida Alvarez,

Administrator.

[FR Doc. 97–12555 Filed 5–13–97; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–12–AD; Amendment 39–10027; AD 96–26–52 R1]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment revises an existing airworthiness directive (AD), applicable to certain Boeing Model 747 series airplanes, that currently requires repetitive inspections of the access doors to the midspar/spring beam fuse pins on all engine pylons to detect cracks on the external surface; repetitive inspections of each midspar/spring beam fuse pin to detect if it protrudes beyond its mating nut by a specified distance; and repair of any discrepancy found. The actions specified by that AD are intended to prevent migration of this fuse pin, which, if not detected and corrected in a timely manner, could result in failure of the engine pylon and consequent separation of the engine from the wing. This amendment increases the intervals between inspections of the access doors and each midspar/spring beam fuse pin, and consequently decreases the frequency of inspections. This amendment is prompted by new data provided by the manufacturer indicating that the reported migration of the fuse pin was apparently the result of an incorrectly installed nut.

EFFECTIVE DATE: June 18, 1997.

ADDRESSES: Information concerning this amendment may be obtained from or 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: Tamara Dow, Aerospace Engineer,Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (425) 227–2771; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by revising AD 96–26–52, amendment 39–9868 (62 FR 302, January 3, 1997), which is applicable to certain Boeing Model 747 series airplanes, was published in the **Federal Register** on February 12, 1997 (62 FR 6499). That action proposed to continue to require repetitive inspections of the access doors to the midspar/spring beam fuse pins on all engine pylons to detect cracks on the external surface, repetitive inspections of each midspar/spring beam fuse pin to detect if it protrudes beyond its mating nut by a specified distance, and repair of any discrepancy found. That action also proposed to increase the intervals between inspections of the access doors and each midspar/spring beam fuse pin, and consequently decrease the frequency of inspections.

Comments on the Proposal

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the two comments received.

One commenter supports the proposal.

One commenter requests that the proposed frequency of repetitive inspections of the access doors to each midspar/spring beam fuse pin and each fuse pin be altered to 5,000 hours time-in-service, or 15 months, whichever occurs first; this interval is equivalent to the maintenance interval specified in the operator's Maintenance ReviewBoard (MRB) report. The commenter considers that adoption of the FAA's proposed interval of 1,000 landings or 18 months, whichever occurs first, would require certain operators to schedule special times for the accomplishment of this inspection.

The FAA concurs that the compliance times can be revised somewhat. The

FAA's intent was that inspections be conducted during a regularly scheduled maintenance visit for the majority of the affected fleet, when the airplanes would be located at a base where special equipment and trained personnel would be readily available, if necessary. Based on the information supplied by the commenter, the FAA recognizes that 5,000 hours time-in-service corresponds closely to the interval specified in the operators' MRB report. In light of this, the FAA has revised paragraphs (a)(1)(i), (a)(2)(i), and (a)(2)(ii) of the final rule to reflect a compliance time of ''intervals not to exceed 1,000 landings or 5,000 hours time-in-service, whichever occurs later, but not to exceed 18 months.'' The FAA does not consider that this revision of the compliance time will adversely affect safety.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 459 Boeing Model 747 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 44 airplanes of U.S. registry will be affected by this AD.

It will take approximately 4 work hours per airplane to accomplish each cycle of required inspections, at an average rate of $60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $10,560 per inspection cycle, or $240 per airplane, per inspection cycle. (By increasing the intervals between inspections, this AD will result in inspections being conducted less frequently than is now required.)

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

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, 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 removing amendment 39–9868 (62 FR 302, January 3, 1997), and by adding a new airworthiness directive (AD), amendment 39–10027, to read as follows:

96–26–52 R1 BOEING: Amendment 39–10027. Docket 97-NM–12-AD. Revises AD 96–26–52, Amendment 39–9868.

Applicability: Model 747 series airplanes having line numbers 1 through 1046 inclusive; certificated in any category; that meet all of the following criteria:

- Equipped with Pratt & Whitney Model PW4000 series engines, or General Electric Model CF6–80C2 series engines, or Rolls Royce Model RB211 series engines;
- On which fuse pins having part numbers 310U2301–101, –116, –117, or –120 (''third generation'' fuse pins) are installed at the midspar/spring beam fittings of the engine pylon; and
- On which the modification of the nacelle strut and wing structure in accordance with Boeing Alert Service Bulletin 747–54A2156 or Boeing Alert Service Bulletin 747–54A2157, as applicable, has not been accomplished.

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 (c) 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 failure of the engine pylon and consequent separation of the engine from the wing, due to migration of the fuse pins installed at the midspar/spring beam fittings of the pylon, accomplish the following:

(a) Within 15 days after January 8, 1997 (the effective date of AD 96–26–52, amendment 39–9868), accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD.

(1) Perform a detailed visual inspection of the access doors to each midspar/spring beam fuse pin on each engine pylon to detect cracks on the external surface of the doors.

(i) If no cracking is detected during the inspection, repeat that inspection at intervals not to exceed 1,000 landings or 5,000 hours time-in-service, whichever occurs later, but not to exceed 18 months.

(ii) If any cracking is detected during the inspection, prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Thereafter, repeat the inspection at intervals not to exceed 1,000 landings or 5,000 hours time-in-service, whichever occurs later, but not to exceed 18 months.

(2) Gain access through the aft fairing doors of each engine pylon to each midspar/spring beam fuse pin and its mating, self-locking nut, and perform a detailed visual inspection of each fuse pin to verify that at least one thread of the fuse pin protrudes beyond its mating, self-locking nut.

(i) If no discrepancy is detected during the inspection, repeat that inspection at intervals not to exceed 1,000 landings or 5,000 hours time-in-service, whichever occurs later, but not to exceed 18 months.

(ii) If the inspection reveals that at least one thread does not protrude beyond its mating, self-locking nut, prior to further flight, repair in accordance with a method approved by the Manager, Seattle ACO. Thereafter, repeat the inspection at intervals not to exceed 1,000 landings or 5,000 hours time-in-service, whichever occurs later, but not to exceed 18 months.

(b) Accomplishment of the modification of the nacelle strut and wing structure in accordance with Boeing Alert Service Bulletin 747–54A2156, Revision 2, dated December 21, 1995, or earlier revisions (for airplanes equipped with General Electric Model CF6–80C2 series engines, or Pratt & Whitney PW4000 series engines); or Boeing

Alert Service Bulletin 747–54A2157, Revision 2, dated November 14, 1996, or earlier revisions (for airplanes with Rolls Royce Model RB211 series engines); as applicable; constitutes terminating action for the repetitive detailed visual inspections required by paragraphs (a)(1) and (a)(2) of this AD.

(c) 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, Seattle ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(d) 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.

(e) This amendment becomes effective on June 18, 1997.

Issued in Renton, Washington, on May 8, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–12682 Filed 5–13–97; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 97–ASO–12]

Removal of Class D and E2 Airspace; Lawrenceville, GA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment removes Class D and E2 surface area airspace at Lawrenceville, GA. The required weather observations and reporting criteria for Lawrenceville/Gwinnett County-Briscoe Field Airport are not being met. Therefore, the Class D and E2 surface area airspace for the airport must be revoked.

EFFECTIVE DATE: 0901 UTC, July 17, 1997.

FOR FURTHER INFORMATION CONTACT: Benny L. McGlamery, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–5570.

SUPPLEMENTARY INFORMATION:

History

Weather observations are taken by an automated weather observing system at the Lawrenceville/Gwinnett County-Briscoe Field Airport. However, the weather observations are not transmitted, as required for surface area airspace, to the ATC facilities having jurisdiction over the surface area. Therefore, the Class D and E2 airspace must be revoked. This rule will become effective on the date specified in the **DATE** section. Since this action removes the Class D and E2 surface area airspace, and as a result, eliminates the impact of Class D and E2 airspace on users of the airspace in the vicinity of the Lawrenceville/Gwinnett County-Briscoe Field Airport, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR part 71) removes Class D and E2 airspace at Lawrenceville, GA.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

Paragraph 5000 Class D airspace.

* * * * *

ASO GA D Lawrenceville, GA [Removed]

* * * * *

Paragraph 6002 Class E airspace areas designated as a surface area for an airport.

* * * * *

ASO GA E2 Lawrenceville, GA [Removed]

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Issued in College Park, Georgia, on May 2, 1997.

Benny L. McGlamery,

Acting Manager, Air Traffic Division, Southern Region.

[FR Doc. 97–12577 Filed 5–13–97; 8:45 am]

BILLING CODE 4910–13–M

FEDERAL TRADE COMMISSION

16 CFR Part 305

Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (''Appliance Labeling Rule'')

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission amends its Appliance Labeling Rule by publishing new ranges of comparability to be used on required labels for clothes washers.

EFFECTIVE DATE: August 12, 1997.

FOR FURTHER INFORMATION CONTACT: James Mills, Attorney, Division of Enforcement, Federal Trade Commission, Washington, D.C. 20580 (202–326–3035).

SUPPLEMENTARY INFORMATION: The Appliance Labeling Rule (''Rule'') was issued by the Commission in 1979, 44 FR 66466 (Nov. 19, 1979), in response to a directive in the Energy Policy and Conservation Act of 1975.[1] The Rule covers eight categories of major household appliances. Clothes washers are among those categories. The Rule also covers pool heaters, 59 FR 49556

[1] 42 U.S.C. 6294. The statute also requires DOE to develop test procedures that measure how much energy the appliances use, and to determine the representative average cost a consumer pays for the different types of energy available.