

Rules and Regulations

Federal Register

Vol. 64, No. 97

Thursday, May 20, 1999

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

SMALL BUSINESS ADMINISTRATION

13 CFR Part 120

Business Loan Program; Correction

AGENCY: Small Business Administration (SBA).

ACTION: Final rule; correction.

SUMMARY: SBA published in the **Federal Register** of January 13, 1999, a final rule concerning SBA's 7(a) and 504 loan programs. In that rule, SBA inadvertently omitted a phrase in its new § 120.131. This correction restores the omitted language.

DATES: Effective on May 20, 1999.

FOR FURTHER INFORMATION CONTACT: Michael J. Dowd, 202-205-6660.

SUPPLEMENTARY INFORMATION: SBA published in the **Federal Register** of January 13, 1999, a final rule regarding SBA's 7(a) and 504 loan programs. In that final rule, SBA inadvertently omitted a phrase in its new § 120.131, entitled "Leasing part of new construction or existing building to another business." This correction restores the omitted language to that rule.

In the rule FR Doc. 99-559 published on January 13, 1999, (64 FR 2115) make the following correction. In the first column on page 2118, at the end of the first sentence of § 120.131(a), insert the phrase "and will use all of the additional space within ten years" before the period.

Dated: May 6, 1999.

Aida Alvarez,
Administrator.

[FR Doc. 99-12574 Filed 5-19-99; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM154, Special Conditions No. 25-99-273-SC]

Special Conditions: Dornier Model 328-300 Airplane; High Intensity Radiated Fields (HIRF)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Dornier Model 328-300 airplane. This airplane will have novel and unusual design features when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that provided by the existing airworthiness standards.

DATES: The effective date of these special conditions is April 15, 1999.

Comments must be received on or before July 6, 1999.

ADDRESSES: Comments on these special conditions may be mailed in duplicate to: Federal Aviation Administration, Office of the Regional Counsel, Attn: Rules Docket (ANM-7), Docket No. NM154, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; or delivered in duplicate to the Office of the Regional Counsel at the above address. Comments must be marked: Docket No. NM154. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Tom Groves, FAA, International Branch, ANM-116, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98055-4056; telephone (425) 227-1503; facsimile (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA has determined that good cause exists for making these special conditions effective upon issuance;

however, interested persons are invited to submit such written data, views, or arguments as they may desire. Communications should identify the docket and special conditions number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator. These special conditions may be changed in light of the comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Persons wishing the FAA to acknowledge receipt of their comments submitted in response to this request must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. NM154." The postcard will be date stamped and returned to the commenter.

Background

On November 14, 1996, the Luftfahrt-Bundesamt (LBA) applied on behalf of Dornier Luftfahrt GmbH for an amendment to U.S. Type Certificate No. A45NM to include the new Dornier Model 328-300. The Model 328-300, which is a modification of the Dornier Model 328-100 approved under Type Certificate No. A45NM, will be a 32-34 passenger airplane with a pressurized cabin and a maximum takeoff weight of 33,510 pounds (15,200 kg). The Model 328-300 is of a high-wing configuration, with twin turboprop engines mounted underneath the wings, and a horizontal tail mounted at the top of the vertical fin. The FAA subsequently determined that this airplane would require a new type certificate because the type of propulsion on this airplane is being changed from turboprop to turboprop.

The Dornier Model 328-300 incorporates an electronic flight instrument system (EFIS) for display of critical flight parameters (altitude, airspeed, and attitude) to the crew. These displays can be susceptible to disruption to both command/response signals as a result of electrical and magnetic interference. This disruption of signals could result in loss of all critical flight displays and

annunciations or present misleading information to the pilot.

Type Certification Basis

Under the provisions of 14 CFR 21.17, Dornier Luftfahrt GmbH must show that the Model 328-300 airplane meets the applicable provisions of part 25 as amended by Amendments 1 through 87 thereto.

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25, as amended) do not contain adequate or appropriate safety standards for the Dornier Model 328-300 airplane because of novel or unusual design features, special conditions are prescribed under the provisions of § 21.16.

Special conditions, as appropriate, are issued in accordance with 14 CFR 11.49, as required by §§ 11.28 and 11.29, and become part of the type certification basis in accordance with § 21.17(a)(2).

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, these special conditions would also apply to the other model under the provisions of § 21.101(a)(1).

Novel or Unusual Design Features

The Dornier 328-300 will incorporate an electronic flight instrument system (EFIS) that performs critical functions. This system may be vulnerable to HIRF external to the airplane.

Discussion

There is no specific regulation that addresses protection requirements for electrical and electronic systems from HIRF. Increased power levels from ground-based radio transmitters and the growing use of sensitive electrical and electronic systems to command and control airplanes have made it necessary to provide adequate protection.

To ensure that a level of safety is achieved equivalent to that intended by the applicable regulations, special conditions are needed for the Dornier 328-300, which require that new electrical and electronic systems, such as the EFIS, that perform critical functions be designed and installed to preclude component damage and interruption of function due to both the direct and indirect effects of HIRF.

High-Intensity Radiated Fields (HIRF)

With the trend toward increased power levels from ground-based transmitters, plus the advent of space

and satellite communications, coupled with electronic command and control of the airplane, the immunity of critical digital avionics systems to HIRF must be established.

It is not possible to precisely define the HIRF to which the airplane will be exposed in service. There is also uncertainty concerning the effectiveness of airframe shielding for HIRF. Furthermore, coupling of electromagnetic energy to cockpit-installed equipment through the cockpit window apertures is undefined. Based on surveys and analysis of existing HIRF emitters, an adequate level of protection exists when compliance with the HIRF protection special condition is shown with either paragraphs 1, OR 2 below:

1. A minimum threat of 100 volts per meter peak electric field strength from 10 KHz to 18 GHz.

a. The threat must be applied to the system elements and their associated wiring harnesses without the benefit of airframe shielding.

b. Demonstration of this level of protection is established through system tests and analysis.

2. A threat external to the airframe of the following field strengths for the frequency ranges indicated.

Frequency	Field strength (volts per meter)					
	US		UK/European		Consolidated	
	Peak	Average	Peak	Average	Peak	Average
10 kHz-100 kHz	30	30	50	50	50	50
100 kHz-500 kHz	40	30	60	60	60	60
500 kHz-2 MHz	30	30	70	70	70	70
2 MHz-30 MHz	190	190	200	200	200	200
30 MHz-70 MHz	20	20	30	30	30	30
70 MHz-100 MHz	20	20	30	30	30	30
100 MHz-200 MHz	30	30	150	30	150	30
200 MHz-400 MHz	30	30	70	70	70	70
400 MHz-700 MHz	80	80	700	40	700	80
700 MHz-1 GHz	690	240	1700	80	1700	240
1 GHz-2 GHz	970	70	5000	360	5000	360
2 GHz-4 GHz	1570	350	4500	360	4500	360
4 GHz-6 GHz	7200	300	5200	300	7200	300
6 GHz-8 GHz	130	80	2000	330	2000	330
8 GHz-12 GHz	2100	80	3500	270	3500	270
12 GHz-18 GHz	500	330	3500	180	3500	330
18 GHz-40 GHz	780	20	NA	NA	780	20

The field strengths are expressed in terms of peak root-mean-square (rms) values.

Applicability

As discussed above, these special conditions are applicable to Dornier 328-300 Model airplane. Should Dornier Luftfahrt GmbH apply any other model included on the same type certificate to incorporate the same novel or unusual design feature, these special conditions would apply to that model as

well under the provisions of § 21.101(a)(1).

Conclusion

This action affects only Dornier Model 328-300 airplanes. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

The substance of the special conditions for this airplane has been subjected to the notice and comment procedure in several prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. For this reason, and because a delay

would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions immediately. Therefore, these special conditions are being made effective upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Dornier Model 328-300 airplane.

1. *Protection from Unwanted Effects of High-Intensity Radiated Fields (HIRF).* Each electrical and electronic system that performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not adversely affected when the airplane is exposed to high intensity radiated fields external to the airplane.

For the purpose of these special conditions, the following definition applies:

Critical Functions. Functions whose failure would contribute to or cause a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Renton, Washington, on April 15, 1999.

John J. Hickey,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM-100.

[FR Doc. 99-12744 Filed 5-19-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 27

[Docket No. SW00S; Special Condition No. 27-00S-SC]

Special Conditions: Bell Helicopter Textron Canada Model 427 Helicopters, High Intensity Radiated Fields

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special condition; request for comments.

SUMMARY: This special condition is issued for Bell Helicopter Textron Canada (Bell) Model 427 helicopters. These helicopters will have a novel or unusual design feature associated with the installation of electronic systems that perform critical functions. The applicable airworthiness regulations do not contain adequate or appropriate safety standards to protect systems that perform critical control functions, or provide critical displays, from the effects of high-intensity radiated fields (HIRF). This special condition contains the additional safety standards that the Administrator considers necessary to ensure that critical functions of systems will be maintained when exposed to HIRF.

DATES: The effective date of this special condition is May 11, 1999. Comments must be received on or before July 6, 1999.

ADDRESSES: Comments on this special condition may be mailed in duplicate to: Federal Aviation Administration, Office of the Regional Counsel, Attention: Rules Docket No. SW00S, Fort Worth, Texas 76193-0007, or deliver in duplicate to the Office of the Regional Counsel at 2601 Meacham Blvd., Fort Worth, Texas 76137. Comments must be marked: Rules Docket No. SW00S. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 8:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Jorge Castillo, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193-0110; telephone 817-222-5127, fax 817-222-5961.

SUPPLEMENTARY INFORMATION: The FAA has determined that notice and opportunity for prior public comment hereon are impracticable because these procedures would significantly delay issuance of the approval design and thus delivery of the affected aircraft. In addition, notice and opportunity for

prior public comment are unnecessary since the substance of this special condition has been subject to the public comment process in several prior instances with no substantive comments received. The FAA therefore finds that good cause exists for making this special condition effective upon issuance.

Comments Invited

Interested persons are invited to submit such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or special condition number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator. The special condition may be changed in light of the comments received. All comments received will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this special condition must include a self-addressed, stamped postcard on which the following statement is made: "Comments to Rules Docket No. SW00S." The postcard will be date stamped and returned to the commenter.

Background

On September 16, 1996, Bell applied for a type certificate for the Model 427 helicopter. The Bell Model 427 helicopter is a 6-passenger (8 including crew) normal category helicopter with a four-bladed rotor. It is powered by two Pratt and Whitney 206D engines with a gross weight of 6000 pounds.

Type Certification Basis

Under the provisions of 14 CFR 21.17, Bell must show that the Model 427 helicopter meets the applicable provisions of the regulations as listed below:

- 14 CFR 21.29
- 14 CFR Part 27 as amended through and including amendment 27-31 and amendment 27-33
- 14 CFR Part 29 as amended through and including amendment 29-40, as it affects FAR Part 27 Appendix C
- The Amendments of 14 CFR Part 34 and Part 36 in effect on the day the Type Certificate is issued
- National Environmental Policy Act of 1969
- Noise Control Act of 1972