Federal Assistance Programs

The title and number of the Federal assistance programs, as found in the Catalog of Federal Domestic Assistance, to which this rule applies are:

10.406—Farm Operating Loans
10.407—Farm Ownership Loans

Paperwork Reduction Act of 1995

The provisions in this interim rule require no revisions to the information collection requirements that were previously approved by OMB under control number 0560–0155.

E-Government Act Compliance

FSA is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

List of Subjects

7 CFR Part 761

Accounting, Loan programs—agriculture, Rural areas.

7 CFR Part 762

Agriculture, Credit, Loan programs—agriculture, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, this rule amends 7 CFR parts 761 and 762 as follows:

PART 761—GENERAL PROGRAM ADMINISTRATION

■ 1. The authority citation for part 761 continues to read as follows:

Authority: 5 U.S.C. 301 and 7 U.S.C. 1989.

■ 2. Amend § 761.2 as follows:
■ a. In paragraph (a), add, in alphabetical order, the abbreviation ''LIBOR'' to read as follows, and
■ b. In paragraph (b), remove the definition of ''average agricultural loan customer''.

§ 761.2 Abbreviations and definitions.

* * * * *

(a) * * *

LIBOR London Interbank Offered Rate.

* * * * *

PART 762—GUARANTEED FARM LOANS

■ 3. The authority citation for part 762 continues to read as follows:

Authority: 5 U.S.C. 301, 7 U.S.C. 1989.

■ 4. Amend § 762.124 as follows:
■ a. Revise paragraphs (a)(2) and (a)(3) to read as set forth below,
■ b. Redesignate paragraphs (a)(4) and (a)(5) as (a)(5) and (a)(6), and
■ c. Add new paragraph (a)(4) to read as set forth below:

§ 762.124 Interest rate, terms, charges, and fees.

(a) * * *

(2) If a variable rate is used, it must be tied to an index or rate specifically agreed to between the lender and borrower in the loan instruments and the rate adjustments must be in accordance with normal practices of the lender for unguaranteed loans. Upon request, the lender must provide the Agency with copies of its written rate adjustment practices.

(3) At the time of loan closing or loan restructuring, the interest rate on both the guaranteed portion and the unguaranteed portion of a fixed or variable rate OL or FO loan may not exceed the following, as applicable:

(i) For lenders using risk-based pricing practices, the risk tier at least one tier lower (representing lower risk) than that borrower would receive without a guarantee. The lender must provide the Agency with copies of its written pricing practices, upon request.

(ii) For lenders not using risk-based pricing practices, for variable rate loans or fixed rate loans with rates fixed for less than five years, 650 basis points (6.5 percentage points) above the 3-month LIBOR.

(iii) For lenders not using risk-based pricing practices, for loans with rates fixed for five or more years, 550 basis points (5.5 percentage points) above the 5-year Treasury note rate.

(4) In the event the 3-month LIBOR is below 2 percent, the maximum rates specified in paragraph (a)(3) of this section do not apply. In that case, at the time of loan closing or loan restructuring, the interest rate on both the guaranteed portion and the unguaranteed portion of an OL or FO loan may not exceed 750 basis points above the 3-month LIBOR for variable rate loans and 650 basis points above the 5-year Treasury rate for fixed rate loans.

* * * * *

■ 5. Amend § 762.150 by revising paragraph (g) to read as follows:

§ 762.150 Interest assistance program.

* * * * *

(g) *Rate of interest.* The lender interest rate will be set according to § 762.124(a).

* * * * *

Signed on February 12, 2013.

Juan M. Garcia,

Administrator, Farm Service Agency.

[FR Doc. 2013–04930 Filed 3–1–13; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2012–1211; Special Conditions No. 25–486–SC]

Special Conditions: Embraer S.A., Model EMB–550 Airplanes; Flight Envelope Protection: Pitch and Roll Limiting Functions

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued for the Embraer S.A. Model EMB–550 airplane. This airplane will have a novel or unusual design feature associated with pitch and roll limiting functions, specifically an electronic flight control system which contains fly-by-wire control laws, including envelope protections. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: *Effective Date:* April 3, 2013.

FOR FURTHER INFORMATION CONTACT: Joe Jacobsen, FAA, Airplane and Flight Crew Interface Branch, ANM–111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone 425–227–2011; facsimile 425–227–1149.

SUPPLEMENTARY INFORMATION:

Background

On May 14, 2009, Embraer S.A. applied for a type certificate for their new Model EMB–550 airplane. The Model EMB–550 airplane is the first of a new family of jet airplanes designed for corporate flight, fractional, charter, and private owner operations. The aircraft has a conventional configuration with a low wing and T-tail empennage. The primary structure is metal with composite empennage and control surfaces. The Model EMB–550 airplane is designed for 8 passengers, with a maximum of 12 passengers. It is equipped with two Honeywell

HTF7500–E medium bypass ratio turbofan engines mounted on aft fuselage pylons. Each engine produces approximately 6,540 pounds of thrust for normal takeoff. The primary flight controls consist of hydraulically powered fly-by-wire elevators, aileron and rudder, controlled by the pilot or copilot sidestick.

The airworthiness standards in Title 14, Code of Federal Regulations (14 CFR) part 25 do not specifically relate to flight characteristics associated with fixed attitude limits. Embraer S.A. will implement pitch and roll attitude protection functions through the normal modes of the electronic flight control system that will provide speed stability for high and low pitch angles. These functions also provide strong spiral stability for roll angles at high bank angles. In addition, bank angle limiting is introduced at speeds greater than V_{MO}/M_{MO}, up to V_{DF}/M_{DF}.

Type Certification Basis

Under the provisions of 14 CFR 21.17, Embraer S.A. must show that the Model EMB–550 airplane meets the applicable provisions of part 25, as amended by Amendments 25–1 through 25–127 thereto.

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Model EMB–550 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

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 or similar novel or unusual design feature, the special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Model EMB–550 airplane must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36 and the FAA must issue a finding of regulatory adequacy under section 611 of Public Law 92–574, the ''Noise Control Act of 1972.''

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type-certification basis under § 21.17(a)(2).

Novel or Unusual Design Features

The Model EMB–550 airplane will incorporate the following novel or unusual design feature: An electronic flight control system which contains fly-by-wire control laws, including envelope protections, which were not envisioned when part 25 was written.

Discussion

We expect that high thrust-to-weight ratios will provide the most critical cases for the positive pitch limit. A margin in pitch control must be available to enable speed control in maneuvers such as climb after takeoff and balked landing climb. The pitch limit must not impede likely maneuvering made necessary by collision avoidance efforts. A negative pitch limit must similarly not interfere with collision avoidance capability or with attaining and maintaining speeds near V_{MO}/M_{MO} for emergency descent.

Spiral stability must not restrict attaining roll angles up to 65 degrees (i.e., an approximately 2.4*g*-level turn). This force must not require excessive pilot strength as stated in § 25.143(f).

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Discussion of Comments

Notice of proposed special conditions No. 25–12–10–SC for the Embraer S.A. Model EMB–550 airplanes was published in the **Federal Register** on November 20, 2012 (77 FR 69569). We received one comment from Mr. Sokolow, who stated that these types of rules should be generic and not pertain to one model. He said that it splinters the regulations and can lead to abuse.

We acknowledge Mr. Sokolow's concerns about issuing regulations for individual models. In the case of new technlogy or new designs that are not covered in the regulations, the FAA issues special conditions that are applicable to only one model of airplane. The Embraer S.A. Model EMB–550 airplane will have a novel or unusual design feature associated with pitch and roll limiting functions, specifically an electronic flight control system which contains fly-by-wire control laws, including envelope protections. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

We agree with the commenter that the FAA should issue general rulemaking to cover general issues that affect many types of airplanes. Currently, the FAA is tasking an Aviation Rulemaking Advisory Committee (ARAC) to address this and other similar requirements for electronic flight control systems (EFCS). The goal is to develop general rules that could be applied to all designs. In the meantime, however, we will continue to issue special conditions to ensure an adequate level of safety for specific EFCS design features.

We are adopting the special conditions as proposed.

Applicability

As discussed above, these special conditions are applicable to the Model EMB–550 airplane. Should Embraer S.A. apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well.

Conclusion

This action affects only certain novel or unusual design features on one model of airplanes. It is not a rule of general applicability.

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 Embraer S.A. Model EMB–550 airplanes.

In addition to § 25.143, the following requirements apply:

1. *Flight Envelope Protection:* Pitch and Roll Limiting Functions.

a. The pitch limiting function must not impede normal maneuvering for pitch angles up to the maximum required for normal maneuvering, including a normal all-engines operating takeoff, plus a suitable margin to allow for satisfactory speed control.

b. The pitch and roll limiting functions must not restrict or prevent attaining pitch attitudes necessary for emergency maneuvering or roll angles up to 66 degrees with flaps up, or 60 degrees with flaps down. Spiral

stability, which is introduced above 33 degrees roll angle, must not require excessive pilot strength to achieve these roll angles. Other protections, which further limit the roll capability under certain extreme angle of attack or attitude or high speed conditions, are acceptable, as long as they allow at least 45 degrees of roll capability.

c. A lower limit of roll is acceptable beyond the overspeed warning if it is possible to recover the aircraft to the normal flight envelope without undue difficulty or delay.

Issued in Renton, Washington, on February 26, 2013.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2013–04855 Filed 3–1–13; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2012–1292; Special Conditions No. 25–485–SC]

Special Conditions: Embraer S.A., Model EMB–550 Airplanes; Electrical/Electronic Equipment Bay Fire Detection and Smoke Penetration

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued for the Embraer S.A. Model EMB–550 airplane. This airplane will have novel or unusual design features, specifically distributed electrical and electronic equipment bays in pressurized areas of the airplane. Older transport category airplane electrical/electronic equipment bay installations are located in the lower lobe where the flight crew could determine the origin of smoke or fire by a straightforward airplane flight manual procedure. In distributed electrical/electronic bay installations it is not as straightforward. The FAA has no requirement for smoke and/or fire detection in the electrical/electronic equipment bays. To ensure effective mitigation of fires, the FAA proposes these special conditions. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Effective April 3, 2013.

FOR FURTHER INFORMATION CONTACT: Robert C. Jones, FAA, Propulsion and Mechanical Systems Branch, ANM–112, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone 425–227–1234; facsimile 425–227–1149.

SUPPLEMENTARY INFORMATION:

Background

On May 14, 2009, Embraer S.A. applied for a type certificate for their new Model EMB–550 airplane. The Model EMB–550 airplane is the first of a new family of jet airplanes designed for corporate flight, fractional, charter, and private owner operations. The airplane has a conventional configuration with a low wing and T-tail empennage. The primary structure is metal with composite empennage and control surfaces. The Model EMB–550 airplane is designed for 8 passengers, with a maximum of 12 passengers. It is equipped with two Honeywell HTF7500–E medium bypass ratio turbofan engines mounted on aft fuselage pylons. Each engine produces approximately 6,540 pounds of thrust for normal takeoff. The primary flight controls consist of hydraulically powered fly-by-wire elevators, aileron and rudder, controlled by the pilot or copilot sidestick.

The Model EMB–550 airplane has electrical/electronic equipment bays distributed throughout the airplane; three of them are in the pressurized area. The current airworthiness requirements do not contain adequate or appropriate safety standards regarding smoke/fire detection and protection against penetration of hazardous quantities of smoke from equipment bays into occupied areas of the airplane for this type of airplane configuration.

Type Certification Basis

Under the provisions of Title 14, Code of Federal Regulations (14 CFR) 21.17, Embraer S.A. must show that the Model EMB–550 airplane meets the applicable provisions of part 25, as amended by Amendments 25–1 through 25–127 thereto.

If the Administrator finds that the applicable airworthiness regulations (i.e., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Model EMB–550 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

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 or similar novel or unusual design feature, the special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Model EMB–550 airplane must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36 and the FAA must issue a finding of regulatory adequacy under section 611 of Public Law 92–574, the ''Noise Control Act of 1972.''

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type-certification basis under § 21.17(a)(2).

Novel or Unusual Design Features

The Model EMB–550 airplane will incorporate the following novel or unusual design features: Distributed electrical and electronic equipment bays that were not envisioned at the time this rule was made.

Discussion

In general, smoke and fire detection systems are designed to:

- Automatically shut off power to the affected equipment,
- If necessary, reconfigure the environmental control systems to control any smoke resulting from a fire or overheat condition, and
- Alert the flight crew to the existence of the fire.

Most airplanes certified under part 25 have one or two electrical equipment bays located in the lower lobe, adjacent to pressure regulator/outflow valves or vents. If a fire occurs in an electrical equipment bay, any smoke is drawn toward the outflow valves or vents and is discharged from the airplane without entering occupied areas. In the event of a smoke or fire in one of the electrical equipment bays, the procedures to isolate the bay on some airplanes requires the flight crew to use trial and error to determine whether or not the source is in a particular electrical equipment bay. However, with this approach, the flight crew does not know where the fire or smoke is because it is difficult to identify the source, especially during changes of phases of flight (e.g., climbing or descending) or system transients (e.g., changes in the airflow from the environmental control system).

This trial-and-error approach may be acceptable for aircraft with no more