

application process, but certification pursuant to this section may be made as part of the loan closing.

Thus, certification at the time of application does not appear to be *required*, although it may be used as a means for "weeding out" delinquents. In the alternative, certification at the time of closing is consistent with the intent of Congress, and these regulations require such certification.

SBA has also determined that the intent of the legislation is to require *individuals* who are subject to agreements requiring the payment of child support to make the required certifications. Many of the applicants for SBA financial assistance are corporations, partnerships and sole proprietorships. For purposes of these regulations, SBA will require any owner or partner holding 50% or more of the voting interests of an applicant (a principal) to certify.

Finally, SBA takes the position that the statute intends coverage only for its business loan and disaster loan program; i.e. financial assistance made available under the Small Business Act. Therefore, only applicants for assistance under those programs will be required to make the required certifications.

In practice, after the effective date of these regulations, SBA or its participating lender will notify the principals of all applicants for assistance under the business and disaster loan programs at the time of application that they must certify to compliance with outstanding court orders or agreements requiring the payment of child support. The required certification will be made a condition of the loan authorization which if not satisfied will be a ground for not closing the loan.

**Compliance With Executive Orders 12612, 12778, and 12866, the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., and the Paperwork Reduction Act, 44 U.S.C. Ch. 35**

For purposes of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., SBA certifies that this final rule does not have a significant economic impact on a substantial number of small entities.

BAS certifies that this final rule does not constitute a significant regulatory action for the purposes of Executive Order 12866, since the change is not likely to result in an annual effect on the economy of \$100 million or more.

SBA certifies that this final rule does not impose additional reporting or recordkeeping requirements which would be subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

This final rule does not have federalism implications warranting the preparation of a Federalism Assessment in accordance with Executive Order 12612.

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

Because this final rule reflects a reporting requirement imposed by Pub. L. 103-403, and is required to be effective by April 22, 1995, SBA is publishing this final rule without opportunity for prior public comment pursuant to 5 U.S.C. 553(b)(A). However, SBA solicits and will consider any comments it receives with respect to this final rule in making future adjustments.

(Catalog of Federal Domestic Assistance Program Nos. 59.001, 59.002, 59.008, 59.012, 59.021)

**List of Subjects in 13 CFR Part 116**

Small businesses.

Accordingly, pursuant to the authority contained in section 5(b)(6) of the Small Business Act, 15 U.S.C. 634(b)(6), SBA amends part 116, chapter I, title 13, Code of Federal Regulations, as follows:

1. Subpart F is added to read as follows:

**Subpart F—Compliance With Child Support Obligations.**

116.42 Policy.  
116.43 Certification.  
116.44 Recipient.

**Authority:** Sec. 612 of Pub. L. 103-403, 108 Stat. 4175.

**Subpart F—Compliance With Child Support Obligations**

**§ 116.42 Policy.**

It is the policy of SBA that each recipient of financial assistance under the Small Business Act shall certify that the recipient is not more than 60 days delinquent under any administrative order, court order, or repayment agreement between the recipient and the custodial parent or a State agency providing child support enforcement services that requires the recipient to pay child support as that term is defined in section 462(b) of the Social Security Act.

**§ 116.43 Certification.**

The certification required to comply with the statement of policy expressed in § 116.41 shall be a condition of all financial assistance granted under sections 7 (a) and (b) of the Small Business Act.

**§ 116.44 Recipient.**

For purposes of this subpart the term recipient shall mean an owner of 50% or more of the ownership interest of an applicant for assistance under section 7 (a) or (b) of the Small Business Act.

Dated: April 26, 1995.

**Cassandra M. Pulley,**  
*Deputy Administrator.*

[FR Doc. 95-12647 Filed 5-25-95; 8:45 am]

BILLING CODE 8025-01-M

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 95-ANE-05; Amendment 39-9243; AD 95-11-08]

**Airworthiness Directives; Hartzell Propeller Inc. Models HC-92WK-( ) and HC-92ZK-( ) Propellers**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment supersedes airworthiness directive (AD) 73-02-01, applicable to Hartzell Propeller Inc. Models HC-92WK-( ) and HC-92ZK-( ) propellers, that currently requires visual and penetrant inspections of the propeller blade shank area for corrosion at 1,000 hour time in service (TIS) intervals and shotpeening after inspection. This amendment requires a one-time inspection of the blade clamp screws, then a dye penetrant inspection, compressive rolling of the blade shank, and replacement of blade clamp screws, all to be accomplished at intervals of 500 hours TIS. This amendment is prompted by reports of two recent propeller blade separations that occurred at less than 1,000 hours TIS since last inspection. The actions specified by this AD are intended to prevent propeller blade separation, which could result in loss of control of the aircraft.

**DATES:** Effective June 12, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 12, 1995.

Comments for inclusion in the Rules Docket must be received on or before July 25, 1995.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No.

95-ANE-05, 12 New England Executive Park, Burlington, MA 01803-5299.

The service information referenced in this AD may be obtained from Hartzell Propeller Inc., One Propeller Place, Piqua, OH 45356-2634; telephone (513) 778-4200, fax (513) 778-4391. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Tomaso DiPaolo, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2300 East Devon Avenue, Room 232, Des Plaines, IL 60018; telephone (708) 294-7031, fax (708) 294-7834.

**SUPPLEMENTARY INFORMATION:** On January 5, 1973, the Federal Aviation Administration (FAA) issued airworthiness directive (AD) 73-02-01, Amendment 39-1584 (38 FR 1381, January 12, 1973), applicable to Hartzell Propeller Inc. Models HC-92WK-( ) and HC-92ZK-( ) propellers, to require visual and penetrant inspections of the propeller blade shank area for corrosion prior to accumulating 1,000 hour time in service (TIS) intervals, and shotpeening after inspection. That action was prompted by the separation of a blade at the blank shank of a Hartzell propeller. That condition, if not corrected, could result in propeller blade separation, which could result in loss of control of the aircraft.

Since the issuance of that AD, the FAA has received reports of two recent propeller blade separations that occurred at less than 1,000 hours TIS since last inspection. In both accidents, the propeller blade separation resulted from a crack at the propeller blade shank. Either crack may have initiated from a failed blade clamp screw, part number A-282, which was found in both accidents.

The FAA has reviewed and approved the technical contents of Hartzell Propeller Inc. Service Bulletin (SB) No. 202, dated January 5, 1995, that describes procedures for inspection of the clamp screw, visual and dye penetrant inspections and compressive rolling of the propeller blade shank, and replacement of blade clamp screws. Since an unsafe condition has been identified that is likely to exist or develop on other propellers of this same type design, this AD supersedes AD 73-02-01 to require a one-time inspection of the clamp screws, then a dye penetrant inspection, compressive rolling of the propeller blade shank, and replacement of blade clamp screws, all

to be accomplished at intervals of 500 hours TIS. The actions are required to be accomplished in accordance with the SB described previously.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an 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 should 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 notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-ANE-05." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

#### § 39.13 [Amended]

2. Section 39.13 is amended by removing Amendment 39-1584, (38 FR 1381, January 12, 1973), and by adding a new airworthiness directive, Amendment 39-9243, to read as follows:

#### 95-11-08 Hartzell Propeller Inc.:

Amendment 39-9243. Docket 95-ANE-05. Supersedes AD 73-02-01, Amendment 39-1584.

*Applicability:* Hartzell Propeller Inc. Models HC-92WK-( ) and HC-92ZK-( ) propellers, installed on but not limited to the following aircraft: Aerostar Aircraft Corp. (formerly Ted Smith Aerostar) Model Aerostar 360; Air & Space America, Inc. Model 18A; Aircraft Acquisition Corp. (formerly Helio) Models H-250, 500; Beech Models 95, B95, B95A, D95A, E95; Cessna Models 172, 175, 175A; Found Brothers Aviation Ltd. Models FBA 100, FBA-2C; Kwad Company Model Super-V; Mooney Aircraft Corp. Model M20A; Piper Models PA-23, PA-24, PA-25; Procaer Model F15/B; Revo Inc. Models C2, Lake LA-4; and

Simmering Graz Pauker A.G. Model SGP-222.

**Note 1:** This airworthiness directive (AD) applies to each propeller identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For propellers that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (e) to request approval from the Federal Aviation Administration (FAA). This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any propeller from the applicability of this AD.

**Note 2:** The above is not an exhaustive list of aircraft which may contain the affected Hartzell Models HC-92WK-( ) and HC-92ZK-( ) propellers because of installation approvals made by, for example, Supplemental Type Certificate or field approval under FAA Form 337 "Major Repair and Alteration." It is the responsibility of the owner, operator, and person returning the aircraft to service to determine if an aircraft has an affected propeller.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent propeller blade separation, which could result in loss of control of the aircraft, accomplish the following:

(a) For all affected propellers, within 10 hours time in service (TIS) after the effective date of this AD, perform a blade clamp screw inspection in accordance with Procedure No. 1 of Hartzell Propeller Inc. Service Bulletin (SB) No. 202, dated January 5, 1995. If any clamp screws are loose (i.e., screws turn when applying torque in a clockwise rotation) or broken, remove propeller and send to an authorized repair station for disassembly and inspection in accordance with paragraph (b) of this AD prior to further flight.

(b) For affected propellers whose time since last blade dye penetrant inspection or compliance with AD 73-02-01 is unknown, within the next 10 hours TIS after the effective date of this AD, accomplish the following:

(1) Disassemble, perform a dye penetrant inspection of the blade shank, perform compressive rolling of the blade shank, and replace clamp socket screws with Part Number (P/N) A-321 clamp socket screws in accordance with Procedure No. 2 of Hartzell Propeller Inc. SB No. 202, dated January 5, 1995. If cracks are found during a dye penetrant inspection of the blade shank, replace with a serviceable blade that has been compressively rolled in the blade shank.

(2) At intervals not to exceed 500 hours TIS since last inspection, repeat paragraph (b)(1) of this AD. The P/N A-321 clamp screws are to be used one time only and are to be

replaced with new screws each time the propeller blade clamp is disassembled.

(c) For affected propellers whose time since last blade dye penetrant inspection or compliance with AD 73-02-01 is greater than 275 hours TIS, within the next 25 hours TIS after the effective date of this AD, accomplish paragraphs (b)(1) and (b)(2) of this AD.

(d) For affected propellers whose time since last blade dye penetrant inspection or compliance with AD 73-02-01 is less than or equal to 275 hours TIS, prior to reaching 300 hours TIS since last blade dye penetrant inspection or compliance with AD 73-02-01, accomplish paragraphs (b)(1) and (b)(2) of this AD.

(e) 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, Chicago Aircraft Certification Office. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Chicago Aircraft Certification Office.

**Note:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Chicago Aircraft Certification Office.

(f) 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 aircraft to a location where the requirements of this AD can be accomplished. Special flight permits should not be issued if loose or broken screws are found.

(g) The actions required by this AD shall be done in accordance with the following Hartzell Propeller Inc. SB:

*Document No.* SB No. 202.

*Pages:* 1-5.

*Date:* January 5, 1995.

*Total pages:* 5.

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 Hartzell Propeller Inc., One Propeller Place, Piqua, OH 45356-2634; telephone (513) 778-4200, fax (513) 778-4391. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on June 12, 1995.

Issued in Burlington, Massachusetts, on May 17, 1995.

**James C. Jones,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 95-12825 Filed 5-24-95; 2:35 pm]

**BILLING CODE 4910-13-U**

## 14 CFR Part 39

[Docket No. 94-SW-08-AD; Amendment 39-9247; AD 95-11-14]

### Airworthiness Directives; Bell Helicopter Textron, Inc. Model 206A, 206B, 206L, 206L-1, 206L-3, and 206L-4 Helicopters

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to Bell Helicopter Textron, Inc. Model 206A, 206B, 206L, 206L-1, 206L-3, and 206L-4 helicopters, that requires removal and replacement of certain crosstube assemblies (crosstubes). This amendment is prompted by two accidents attributed to crosstube failures and 27 field reports that indicated corrosion or metal fatigue may cause a failure of the affected crosstubes. The actions specified by this AD are intended to prevent failure of the crosstubes and subsequent loss of control of the helicopter.

**DATE:** Effective June 30, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mr. Tony Nguyen, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Certification Office, Fort Worth, Texas 76193-0170, telephone (817) 222-5177, fax (817) 222-5959.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to Bell Helicopter Textron, Inc. Model 206A, 206B, 206L, 206L-1, 206L-3, and 206L-4 helicopters was published in the **Federal Register** on November 14, 1994 (59 FR 56438). That action proposed to require removal and replacement of certain crosstubes within the next 90 calendar days.

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

The commenter states that the FAA should require an annual skid gear inspection rather than requiring the more costly replacement of the crosstubes. The FAA does not concur. The FAA has determined that, due to the location of the potential crack and the speed at which a crack could propagate, an annual inspection would not be a sufficient interval to detect a potentially critical crack. The economic impact of a repetitive inspection at an interval short enough to detect the crack would have a greater adverse economic impact on owners/operators than the