

(E) A deed restriction, "soft" second mortgage or other legally enforceable mechanism exists on the household's home that entitles the Bank or member participant to recapture of the equivalent amount of the matching funds, as provided in paragraph (g)(1)(ix) of this section;

(vii) *Eligible uses of funds.*

Households receiving funds under an initiative may use such funds only for the payment of downpayment or closing costs in connection with the household's purchase of a one-to-four family, owner-occupied residential property (including a condominium or cooperative housing unit) to be used as its primary residence;

(viii) *Availability of funds.* (A) The Bank shall make its initiative funds available on a rolling, first come, first-served basis;

(B) The Bank may reserve the option, if needed because demand for its funds in a given year exceeds the amount of set-aside funds available for that year, to:

(i) Make available up to an additional \$1 million from the next year's set-aside of funds under such initiative; or

(ii) Establish a waiting list or other process by which households would be approved by the Bank to receive funds under the initiative;

(ix) *Long-term requirement—Recapture of funds upon resale.* The Bank shall require that a home purchased using funds under an initiative be subject to a deed restriction, "soft" second mortgage or other legally enforceable mechanism that requires that, if the home is sold prior to the end of a period of not less than 5 years from the date of purchase by the initial household, to a household that is not low- or moderate-income:

(I) The Bank or its designee be given notice of the sale; and

(II) The seller be required to repay a pro rata share, except for de minimis amounts determined by the Bank, of the funds provided under the initiative, reduced for every year the seller owned the home, to be repaid from any net gain from the sale of the home after deduction for sales expenses, and to be returned to the Bank to be made available for other Affordable Housing Program projects, except that the Bank in its discretion may waive such repayment requirement if its imposition would cause undue hardship on the seller, as defined by the Bank;

(x) Each Bank may establish its own procedures for further implementation of the requirements of this paragraph (g)(1).

(2) *Other programs.* A Bank may set aside a portion of its annual required

Affordable Housing Program contribution to implement a first-time homebuyer program that does not meet the requirements of § 960.5(g)(1), provided the program otherwise satisfies the requirements of 12 U.S.C. 1430(j), and receives the prior approval of the Board.

Dated: July 13, 1995.

By the Federal Housing Finance Board.

**Bruce A. Morrison,**  
*Chairman.*

[FR Doc. 95-18424 Filed 7-27-95; 8:45 am]

BILLING CODE 6725-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 33

[Docket No. 95-ANE-42; Notice No. SC-95-04-NE]

#### Special Conditions: Allison Engine Company Model 250-C40 Turboshift Engine

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed special conditions.

**SUMMARY:** This notice proposes special conditions for the Allison Engine Company Model 250-C40 turboshift engine. This engine will have novel or unique engine ratings that are not defined by the applicable airworthiness regulations. This notice proposes the safety standards for those novel or unique ratings that the Administrator considers necessary to establish a level of safety equivalent to that established by the airworthiness standards of part 33 of the Federal Aviation Regulations (FAR).

**DATES:** Comments must be submitted on or before August 28, 1995.

**ADDRESSES:** Comments on this proposal may be submitted in triplicate to: Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attn: Rules Docket No. 95-ANE-42, 12 New England Executive Park, Burlington, Massachusetts 01803-5299. Comments must be marked: Docket No. 95-ANE-42. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Chung Hsieh, Engine and Propeller Standards Staff, ANE-110, Engine and Propeller Directorate, Aircraft Certification Service, FAA, New England Region, 12 New England

Executive Park, Burlington, Massachusetts 01803-5229; (617) 238-7115; Fax (617) 238-7199.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to participate in the making of the proposed special conditions 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 **ADDRESSES**. All communications received on or before the closing date for comments, specified under **DATES**, will be considered by the Administrator before taking action on the proposal. The proposal 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 special conditions. 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 proposal will be filed in the docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 95-ANE-42" The postcard will be dated stamped and returned to the commenter.

##### Background

On May 11, 1993, the Allison Engine Company (AE) applied for an amendment to type certificate E1GL to include a new model 250-C40 turboshift engine. On March 30, 1995, the Allison Engine Company applied for 30-second one engine inoperative (OEI) and 2-minute OEI ratings for the engine. The AE Model 250-C40 turboshift engine will be rated at 30-Second OEI, 2-Minute OEI, 30-Minute OEI, Continuous OEI, Takeoff, and Maximum Continuous ratings.

The applicable airworthiness requirements do not contain 30-Second OEI and 2-Minute OEI rating definitions, and do not contain adequate or appropriate safety standards for the type certification of these new and unusual engine ratings.

##### Type Certification Basis

Under the provisions of section 21.17(a) of the FAR, Allison Engine Company must show that the AE Model

250-C40 turboshaft engine meets the requirements of the applicable regulations in effect on the date of the application. The applicable regulations for this engine is FAR part 33, effective February 1, 1965, as amended by Amendments 33-1 through 33-4.

The Administrator finds that the applicable airworthiness regulations in 33, as amended, do not contain adequate or appropriate safety standards for the AE Model 250-C40 turboshaft engine because of the new and unique engine ratings. Therefore, the Administrator proposes special conditions under the provisions of section 21.16 to establish a level of safety equivalent to that established in the regulations.

Special conditions, as appropriate, are issued in accordance with section 11.49 of the FAR after public notice and opportunity for comment, as required by sections 11.28 and 11.29(b), and become part of the type certification basis in accordance with section 21.17(a)(2).

#### Conclusion

This action affects only certain novel or unusual design features on one model engine. It is not a rule of general applicability and affects only the manufacturer who applied to the FAA for approval of these features on the engine.

#### List of Subjects in 14 CFR Part 33

Air transportation, Aircraft, Aviation safety, Safety.

The authority citations for these special conditions is as follows:

**Authority:** 49 U.S.C. App. 1354(a), 1421, 1423; 49 U.S.C. 106(g).

#### The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for the Allison Engine Company (AE) Model 250-C40 turboshaft engine:

#### § 33.7 Engine ratings and operating limitations.

In addition to the requirements of section 33.7, the following ratings are defined as:

(a) **Rated 30-Second One-Engine-Inoperative (OEI) Power:** The approved brake horsepower developed statically in standard atmosphere at sea level, or at a specified altitude and temperature, for continued one-flight operation after the failure of one engine in multi-engine rotorcraft, limited to three periods of use, no greater than 30 seconds each, at rotor shaft rotation speed and gas temperature established for this rating by part 33 or this special condition.

(b) **Rated 2-Minute OEI Power:** The approved brake horsepower, developed statically in standard atmosphere at sea level, or at a specified altitude and temperature, for continued one-flight operation, after failure of one engine in multi-engine rotorcraft, limited to three periods of use, of up to two minutes each, at rotor shaft rotation speed and gas temperature established for this rating by part 33 or this special condition.

#### § 33.4 Instructions for continued airworthiness.

In addition to the requirements of section 33.4, the mandatory inspection and maintenance actions required following the use of the 30-Second or 2-Minute OEI rating, must be included in the airworthiness limitations section of the appropriate engine manuals.

#### § 33.27 Turbine, compressor, fan, and turbo-supercharger rotors.

In addition to the requirements of section 33.27, the following additional test requirements must be considered under 33.27(c)(2). For 30-Second and 2-Minute OEI conditions, test for a period of 5 minutes—

(a) At 100 percent of the highest speed that would result from failure of the most critical component of each turbine and compressor or system in a representative installation of the engine when operating at 30-Second and 2-Minute OEI rating conditions.

(b) The test speed must take into account minimum material properties, maximum operating temperature, and the most adverse dimensional tolerances.

(c) Following the test, rotor growth and distress beyond dimensional limits for an overspeed condition is permitted for 30-Second and 2-Minute OEI rating only, provided the structural integrity of the rotor is maintained, as shown by a procedure acceptable to the Administrator.

#### § 33.29 Instrument connection.

In addition to the requirements of section 33.29, the engine must provide for a means:

(a) To indicate when the engine is at either 30-Second or 2-Minute OEI-rated power level; and

(b) To determine the elapsed time of operation at 2-Minute OEI and 30-Second OEI rated power levels.

#### § 33.67 Fuel system.

In addition to the requirements of section 33.67, the engine must provide for a means for automatic availability and automatic control of the 30-second OEI power; and engine test runs must be performed to demonstrate automatic

switching to a 30-Second OEI rating condition.

#### § 33.83 Vibration test.

In addition to the requirements of section 33.83, the following additional test requirements must be considered under 33.83(a):

For 30-Second and 2-Minute OEI rating conditions, the vibration survey shall cover the ranges of power, and both the physical and corrected rotational speeds for each rotor system, corresponding to operations throughout the range of ambient conditions in the declared flight envelope, from the minimum rotor speed up to 103 percent of the maximum rotor speed permitted for 2-Minute OEI rating, and up to 100 percent of the maximum rotor speed permitted for 30-Second OEI rating speed. If there is any indication of a stress peak arising at high physical or corrected rotational speeds, the surveys shall be extended in order to quantify the phenomenon and to ensure compliance with the requirements of section 33.63.

#### § 33.85 Calibration tests.

In addition to the requirements of section 33.85, tests performed at the 30-Second and 2-Minute OEI ratings, during the applicable endurance test prescribed in section 33.87, may be used to show compliance with the requirements of section 33.85.

#### § 33.87 Endurance test.

In addition to the requirements of section 33.87, an engine test must be conducted four times, using the following test sequence, for a total of not less than 120 minutes:

(a) **Takeoff Power**—three minutes at rated takeoff power.

(b) **30-Second OEI power**—thirty seconds at rated 30-Second OEI power.

(c) **2-Minute OEI power**—two minutes at rated 2-Minute OEI power.

(d) **30-Minute OEI, Continuous OEI, or Maximum Continuous power**—five minutes at rated 30-Minute OEI power, or rated Continuous OEI power, or rated Maximum Continuous power, whichever is greatest, except that during the first test sequence this period shall be 65 minutes.

(e) **50 percent takeoff power**—one minute at 50 percent takeoff power.

(f) **30-second OEI power**—thirty seconds at rated 30-Second OEI power.

(g) **2-minute OEI power**—two minutes at rated 2-Minute OEI power.

(h) **Idle power**—one minute at Idle power.

**§ 33.88 Engine overtemperature test.**

In addition to the requirements of section 33.88, the following must be performed:

(a) For engines that do not provide a means for temperature limiting; conduct a test for a period of five minutes at the maximum permissible power-on RPM, with the gas temperature at least 75 degrees Fahrenheit higher than the 30-Second OEI rating operating temperature limit.

(b) For engines that provide a means for temperature limiting; conduct a test for a period of four minutes at the maximum permissible power-on RPM, with the gas temperature at least 35 degrees Fahrenheit higher than the 30-Second OEI rating operating temperature limit.

(c) A separate test engine may be used for each test.

(d) Following the test, rotor assembly growth and distress beyond serviceable limits for an overtemperature condition is permitted, provided the structural integrity of the rotor assembly is maintained, as shown by a procedure that is acceptable to the Administrator.

**§ 33.93 Teardown inspection.**

In addition to the requirements of section 33.93, this special condition requires that the engine be completely disassembled after completing the additional testing of section 33.87. The engine may exhibit deterioration in excess of that permitted in section 33.93(b), and may include some engine parts and components that may be unsuitable for further use. It must be shown by procedures approved by the Administrator that the structural integrity of the engine, including mounts, cases, bearing supports, shafts and rotors, is maintained.

Issued in Burlington, Massachusetts, on July 20, 1995.

**Robert E. Guyotte,**

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

[FR Doc. 95-18591 Filed 7-27-95; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation and Enforcement****30 CFR Part 906****Colorado Regulatory Program**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed rule; public comment period and opportunity for public hearing on proposed amendment.

**SUMMARY:** OSM is announcing receipt of a proposed amendment to the Colorado regulatory program (hereinafter, the "Colorado program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to rules pertaining to definitions; the applicability of Colorado's rules; permit application requirements for legal, financial, and related information; permit application requirements for operation and reclamation plans; requirements for special categories of mining; public participation and approval of permit applications; performance standards for revegetation; and performance standards for subsidence control. The amendment is intended to revise the Colorado program to be consistent with the corresponding Federal regulations and improve operational efficiency.

**DATES:** Written comments must be received by 4:00 p.m., m.d.t. August 28, 1995. If requested, a public hearing on the proposed amendment will be held on August 22, 1995. Requests to present oral testimony at the hearing must be received by 4:00 p.m., m.d.t. on August 14, 1995.

**ADDRESSES:** Written comments should be mailed or hand delivered to James F. Fulton at the address listed below.

Copies of the Colorado program, the proposed amendment, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Western Regional Coordinating Center.

James F. Fulton, Chief, Denver Field Division, Western Regional Coordinating Center, Office of Surface Mining Reclamation and Enforcement, 1999 Broadway, Suite 3300, Denver, Colorado 80202

Colorado Division of Minerals and Geology, Department of Natural Resources, 215 Centennial Building, 1313 Sherman Street, Denver, Colorado 80203, Telephone: (303) 866-3567.

**FOR FURTHER INFORMATION CONTACT:**

James F. Fulton, Telephone: (505) 766-1486.

**SUPPLEMENTARY INFORMATION:****I. Background on the Colorado Program**

On December 15, 1980, the Secretary of the Interior conditionally approved the Colorado program. General background information on the Colorado program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Colorado program can be found in the December 15, 1980, **Federal Register** (45 FR 82173). Subsequent actions concerning Colorado's program and program amendments can be found at 30 CFR 906.11, 906.15, 906.16, and 906.30.

**II. Proposed Amendment**

By letter dated July 12, 1995, Colorado submitted a proposed amendment to its program (administrative record No. CO-670) pursuant to SMCRA (30 U.S.C. 1201 *et seq.*). Colorado submitted the proposed amendment at its own initiative and in response to a February 7, 1990, letter (administrative record No. CO-484) that OSM sent to Colorado in accordance with 30 CFR 732.17(c). The provisions of 2 Code of Colorado Regulations 407-2, the rules and regulations of the Colorado Mined Land Reclamation Board for Coal Mining, that Colorado proposes to revise are: Rule 1.04, definitions; Rule 1.05, applicability of Colorado's rules; Rule 2.03, permit application requirements for legal, financial, and related information; Rule 2.05, permit application requirements for operation and reclamation plans; Rule 2.06, requirements for special categories of mining; Rule 2.07, public participation and approval of permit applications; Rule 4.15, performance standards for revegetation; and Rule 4.20, performance standards for subsidence control.

Specifically, Colorado proposes to revise:

Rule 1.04(21), the definition of "coal," to indicate that the referenced publication of the American Society of Testing and Materials is incorporated as it existed on the date of promulgation of these revisions;

Rule 1.04(80), the definition of "operator," to replace the term "refuse pile" with "mine waste disposal facility;"

Rule 1.04(92), the definition of "person," to be consistent with the definition of "person" in the Colorado Surface Coal Mining Reclamation Act;

Rule 1.05.1(b), to remove an exemption from the Colorado program for operations which affect 2 acres or less;