

### § 701.1 Federal credit union chartering, field of membership modifications, and conversions.

National Credit Union Administration policies concerning chartering, field of membership modifications, and conversions are set forth in Interpretive Ruling and Policy Statement 94-1, Chartering and Field of Membership Policy (IRPS 94-1), as amended by IRPS 96-1 and IRPS 98-1. Copies may be obtained by contacting NCUA at the address found in § 792.2(g)(1) of this chapter. The combined IRPS are incorporated into this section.

(Approved by the Office of Management and Budget under control number 3133-0015.)

#### IRPS 94-1—[Amended]

**Note:** The text of the Interpretive Ruling and Policy Statement (IRPS 94-1) does not, and the following amendments will not, appear in the Code of Federal Regulations.

3. IRPS 94-1, Chapter 1, Section II.C.2 is amended by removing the words "field of membership expansion or conversion to a community credit union".

4. In IRPS 94-1, Chapter 2, Section IV.B is revised to read as follows:

\* \* \* \* \*

#### IV.B—Conversion to Community Charter

An existing occupational, associational, or multiple group federal credit union may apply to convert to a community charter. In most cases, groups currently in the credit union's field of membership but outside the new community credit union's boundaries may be included in the new community charter.

In order to support a case for a conversion to community charter, the applicant federal credit union must, in addition to the requirements for a community charter set forth in Chapter I (except for the requirement to demonstrate community support), develop a detailed business plan which may include, but not be limited to the following data:

- Current financial statements, including the income statement and a summary of loan delinquency;
- A map or maps showing both the existing and proposed boundaries for the field of membership, as well as existing and planned service facilities;
- A written description of the area of community service for the proposed community credit union;
- The most current population figures for the existing and proposed boundaries;
- The source of the population information (census data are considered the most authoritative); the greater the population of the proposed area, the greater justification necessary to support the existence of the "community" and interaction among its residents;
- Evidence that the proposed area is a "community" as defined in "Community Common Bond" in Chapter 1;

- Information concerning the availability of financial services to the residents of the new area;
- A list of credit unions with a home or branch office in the proposed area (If present credit union service to the residents of the new area is adequate, there may be no basis for the proposed conversion.);
- The attitude of the current credit union sponsors and existing credit union members toward the proposed conversion; and
- The anticipated financial impact on the credit union in terms of need for additional employees and fixed assets.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFI Part 39

[Docket No. 97-NM-293-AD; Amendment 39-10295; AD 98-03-03]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A330 and A340 series airplanes. This action requires a one-time inspection of the free-fall actuators of the landing gear for discrepancies, and replacement of discrepant actuators with new, improved actuators. This action also requires eventual replacement of certain free-fall actuators. This amendment is prompted by the issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by this AD are intended to prevent electrical short circuits to the free-fall actuators of the landing gear, which could result in failure to extend the landing gear, and consequent damage to the airplane structure during landing.

**DATES:** Effective February 13, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 13, 1998.

Comments for inclusion in the Rules Docket must be received on or before March 2, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport

Airplane Directorate, ANM-114, Attention: Rules Docket No. 97-NM-293-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 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:

Norman B. Martenson, Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2110; fax (425) 227-1149.

**SUPPLEMENTARY INFORMATION:** The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on certain Airbus Model A330 and A340 series airplanes. The DGAC advises that, during several attempted free-fall extensions of the landing gear, electrical short circuits and circuit breaker overloads have occurred. The cause of the short circuits was attributed to installation of incorrect screws in the motor brush housing of the free-fall actuators during manufacture. This condition, if not corrected, could result in electrical short circuits to the free-fall actuators of the landing gears, which could result in failure to extend the landing gear, and consequent damage to the airplane structure during landing.

#### Explanation of Relevant Service Information

Airbus has issued Service Bulletins A340-32-4066, Revision 1, and A340-32-3042, Revision 1, both dated September 19, 1995, which describe procedures for a one-time inspection of the free-fall actuators of the landing gear to ensure that no electrical short circuit occurs, and to ensure that replacement free-fall actuators having correct serial numbers are installed. The service bulletins also describe procedures for eventual replacement of certain actuators with new, improved actuators. The DGAC classified these service bulletins as mandatory and issued French airworthiness directives 95-187-020(B) and 95-189-032(B), both dated September 27, 1995, in order to assure the continued airworthiness of these airplanes in France.

#### FAA's Conclusions

These airplane models are manufactured in France and are type

certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.19) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

#### Explanation of Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD requires accomplishment of the actions specified in the service bulletins described previously.

#### Cost Impact

None of the Airbus Model A330 and A340 series airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register in the future.

Should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 3 work hours per airplane to accomplish the inspection, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the inspection would be \$180 per airplane.

It would require approximately 16 to 28 work hours (depending upon airplane configuration) to accomplish the replacement, at an average labor rate of \$60 per work hour. Required parts would be supplied by the manufacturer at no cost to operators. Based on these figures, the cost impact of the replacement on U.S. operators is estimated to be between \$960 and \$1,680 per airplane.

#### Determination of Rule's Effective Date

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, prior notice and public procedures hereon are

unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and 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 shall 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 rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 97-NM-293-AD." The postcard will be date stamped and returned to the commenter.

#### 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, 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. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**98-03-03 Airbus Industrie:** Amendment 39-10295. Docket 97-NM-293-AD.

**Applicability:** Model A330 series airplanes, as listed in Airbus Service Bulletin A330-32-3042, Revision 1, dated September 19, 1995; and Model A340 series airplanes, as listed in Airbus Service Bulletin A340-32-4066, Revision 1, dated September 19, 1995; certificated in any category.

**Note 1:** This AD applies to each airplane 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 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 (d) 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 electrical short circuits to the free-fall actuators of the landing gear, which could result in failure to extend the landing gear, and consequent damage to the airplane structure during landing, accomplish the following:

(a) Within 500 flight hours after the effective date of this AD, inspect the free-fall actuators of the landing gear for

discrepancies, in accordance with Airbus Service Bulletin A330-32-3042, Revision 1 (for Model A330 series airplanes), or A340-32-4066, Revision 1 (for Model A340 series airplanes), both dated September 19, 1995; as applicable. Prior to further flight, replace any discrepant actuator with a new, improved actuator in accordance with the applicable service bulletin.

**Note 2:** Airbus Service Bulletins A330-32-3042 and A340-32-4066 both reference LUCAS AEROSPACE Alert Service Bulletin AR024-A32-001, dated July 28, 1995, as an additional source of service information.

(b) Within 15 months after the effective date of this AD, replace any free-fall actuator having a serial number specified in Airbus Service Bulletin A330-32-3042, Revision 1

(for Model A330 series airplanes) or A340-32-4066, Revision 1 (for Model A340 series airplanes), both dated September 19, 1995, with a new, improved actuator in accordance with the applicable service bulletin.

(c) As of the effective date of this AD, no person shall install on any airplane a free-fall actuator, type AR02403, AR02404, or AR02405 having a serial number specified in Lucas Aerospace Limited Service Bulletin AR024-A32-001, dated July 28, 1995.

(d) 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, International Branch, ANM-116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance

Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

(e) Special flight permits may be issued in accordance with §§ 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.

(f) The actions shall be done in accordance with the following Airbus service bulletins, which contain the specified list of effective pages:

Service Bulletin Referenced and Date	Page Number	Revision Level Shown on Page	Date Shown on Page
A330-32-3042, ..... Revision 1, September 19, 1995 .....	1-4, 9, 11, 13 .....	1 .....	September 19, 1995
	5-8, 10, 12, 14.	Original.	August 2, 1995
A340-32-4066, ..... Revision 1, September 19, 1995 .....	1-5, 11, 13, 15 .....	1 .....	September 19, 1995
	6-10, 12, 14, 16.	Original.	August 2, 1995

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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 4:** The subject of this AD is addressed in French airworthiness directives 95-187-020(B) and 95-189-032(B), both dated September 27, 1995.

(g) This amendment becomes effective on February 13, 1998.

Issued in Renton, Washington, on January 21, 1998.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

[Airspace Docket No. 97-ACE-35]

**Amendment to Class D and Class E Airspace; Salina, KS**

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

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends Class D and Class E airspace areas at Salina, KS. The current description indicates part-time operation for the Class E airspace area at Salina Municipal Airport, Salina, KS. The actual hours of operation for the Class E airspace area are continuous. The Class E airspace area description at Salina, KS, is revised to indicate the area is in effect continuously. A review of the airspace for Salina Municipal Airport indicates it does not meet the criteria for 700 feet Above Ground Level (AGL) Class E airspace as required in FAA Order 7400.2D. A revision to the Airport Reference Point (ARP) is included in this document. The intended effect of this amendment is to indicate the Class E airspace area is in effect continuously, comply with the criteria of FAA Order 7400.2D, and amend the ARP for the Class D and Class E airspace areas.

**DATES:** *Effective date:* 0901 UTC, April 23, 1998.

*Comment date:* Comments for inclusion in the Rules Docket must be received on or before March 2, 1998.

**ADDRESSES:** Send comments in triplicate to the Federal Aviation Administration (FAA), Manager, Airspace Branch, Air Traffic Division, (ACE-520), Attention: Rules Docket Number 97-ACE-35, 601 East 12th Street, Kansas City, MO 64106.

The official docket may be examined in the Office of the Regional Counsel for the Central Region at the same address between 9:00 a.m. and 3:00 pm., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours in the Air Traffic Division at the same address listed above.

**FOR FURTHER INFORMATION CONTACT:** Kathy Randolph, Air Traffic Division, Airspace Branch, ACE-520C, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106; telephone: (816) 426-3408.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR part 71 amends the Class D and Class E airspace at Salina Municipal Airport, Salina, KS. The Class E airspace is amended by removing the statement which indicates part-time status. The Class E airspace area description does not reflect the actual hours of operation, which are continuous. This action will amend the description for the Class E airspace area at Salina Municipal Airport, Salina, KS, to indicate the area is in effect continuously. A review of the airspace for Salina Municipal Airport indicates it does not meet the criteria for 700 feet AGL Class E airspace area as required in FAA Order 7400.2D. The criteria in FAA Order 7400.2D for an aircraft to reach 1200 feet AGL is based on a standard climb gradient of 200 feet per mile, plus the distance from the ARP to the end of the outermost runway.