

Pursuant to section 605(b) of the RFA, the FDIC certifies that this final rule will not have a significant economic impact on a substantial number of small entities. The rule replaces the current list of states that were determined in 1990 to constitute "economically depressed regions" for purposes of section 13(k)(5) of the FDI Act with the criteria that the FDIC will use in reaching such determinations concerning such in the future. The rule involves one of nine criteria in section 13(k)(5) of the FDI Act that must be considered along with various requirements in sections 13(c) and the prohibition in 11(a)(4) of the FDI Act, for purposes of applications from insured depository institutions for financial assistance. The rule will at most effect a very small number of institutions.

#### Paperwork Reduction Act

In accordance with section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. 3506; see also 5 CFR part 1320 appendix a.1), the FDIC has reviewed the final rule and has determined that no collections of information pursuant to the Paperwork Reduction Act are contained in this rule. Accordingly, no information has been submitted to the Office of Management and Budget for review.

#### Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act of 1996 (the 1996 Act), Pub. L. 104-121, 110 Stat. 857, provides generally for agencies to report rules to Congress and for Congress to review the rules. The reporting requirement is triggered in instances where the agency in question issues a final rule as defined in the Administrative Procedure Act at 5 U.S.C. 551. The agency will file the appropriate reports pursuant to the 1996 Act concerning any final rule.

The Office of Management and Budget has determined that this final rule does not constitute a "major" rule as defined by the 1996 Act.

#### List of Subjects in 12 CFR Part 357

Bank deposit insurance, Grant programs—housing and community development, Savings associations.

For the reasons set forth in the preamble, the FDIC hereby amends 12 CFR part 357 as set forth below.

#### PART 357—DETERMINATION OF ECONOMICALLY DEPRESSED REGIONS

1. The authority citation for part 357 is revised to read as follows:

**Authority:** 12 U.S.C. 1819, 1823(k)(5).

2. Section 357.1 is amended by revising paragraph (b) to read as follows:

#### § 357.1 Economically depressed regions.

\* \* \* \* \*

(b) *Economically depressed regions.*

(1) For the purpose of determining "economically depressed regions", the FDIC will determine whether an institution qualifies as being located in an "economically depressed region" on a case-by-case basis. That determination will be based on four criteria:

(i) High unemployment rates;  
(ii) Significant declines in non-farm employment;  
(iii) High delinquency rates of real estate assets at insured depository institutions; and  
(iv) Evidence indicating declining real estate values.

(2) In addition, the FDIC will also consider relevant information from institutions regarding their geographic market area, as well as information on whether that market is "economically depressed".

By order of the Board of Directors.

Dated at Washington, D.C., this tenth day of February 1998.

Federal Deposit Insurance Corporation

**Robert E. Feldman,**

*Executive Secretary.*

[FR Doc. 98-4891 Filed 3-2-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 97-CE-78-AD; Amendment 39-10366; AD 98-05-05]

RIN 2120-AA64

#### Airworthiness Directives; Aeromot-Industria Mecanico Metalurgica Ltda. Models AMT-100 and AMT-200 Powered Gliders

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that applies to certain Aeromot-Industria Mecanico Metalurgica Ltda. (Aeromot) Models AMT-100 and AMT-200 powered gliders. This AD requires replacing all main landing gear attaching nuts and bolts with ones of improved design. This AD is the result of mandatory continued airworthiness information (MCAI) issued by the airworthiness authority for Brazil. The

actions specified by this AD are intended to prevent failure of the main landing gear, which could result in loss of control of the glider during landing operations.

**DATES:** Effective April 17, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of April 17, 1998.

**ADDRESSES:** Service information that applies to this AD may be obtained from Grupo Aeromot, Aeromot-Industria Mecanico Metalurgica Ltda., Av. das Industrias-1210, Bairro Anchieta, Caixa Postal 8031, 90200-Porto Alegre-RS, Brazil. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-78-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

Curtis Jackson, Aerospace Engineer, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Blvd., suite 450, Atlanta, Georgia 30349; telephone: (770) 703-6083; facsimile: (770) 703-6097.

#### SUPPLEMENTARY INFORMATION:

#### Events Leading to the Issuance of This AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Aeromot Models AMT-100 and AMT-200 powered gliders was published in the **Federal Register** as a notice of proposed rulemaking (NPRM) on November 25, 1997 (62 FR 62725). The NPRM proposed to require replacing all main landing gear attaching bolts and nuts with attaching bolts and nuts of improved design. Accomplishment of the proposed action as specified in the NPRM would be in accordance with Aeromot-Industria Mecanico Metalurgica Ltda. Service Bulletin No. SB-200-32-044, Issue Date: August 18, 1997.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

#### The FAA's Determination

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the

public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

#### Cost Impact

The FAA estimates that 18 powered gliders in the U.S. registry will be affected by this AD, that it will take approximately 1 workhour per powered glider to accomplish this action, and that the average labor rate is approximately \$60 an hour. Parts are provided by the manufacturer at no cost. Based on these figures, the total cost impact of this AD on U.S. operators is estimated to be \$1,080 for the fleet or \$60 per glider. This figure is based upon the assumption that no affected glider owner/operator has accomplished this action.

#### Compliance Time

The compliance time of this AD is in calendar time instead of hours time-in-service (TIS). The average monthly usage of the affected glider ranges throughout the fleet. For example, one owner may operate the glider 25 hours TIS in one week, while another operator may operate the glider 25 hours TIS in one year. In order to ensure that all of the owners/operators of the affected gliders have replaced the attaching bolts and nuts on the main landing gear within a reasonable amount of time, a compliance time of 30 days is to be used.

#### 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 copy of the final

evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting 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 a new airworthiness directive (AD) to read as follows:

**98-05-05 Aeromot-Industria Mecanico Metalurgica Ltda:** Amendment 39-10366; Docket No. 97-CE-78-AD.

**Applicability:** Model AMT-100 powered gliders (serial numbers (S/N) 100.001 through 100.039 and 100.041 through 100.044), and Model AMT-200 powered gliders (S/N 200.040 and 200.045 through 200.080), certificated in any category.

**Note 1:** This AD applies to each glider 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 gliders 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 (c) 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 within the next 30 days after the effective date of this AD, unless already accomplished.

To prevent failure of the main landing gear, which could result in loss of control of the glider during landing operations, accomplish the following:

(a) Replace all main landing gear attaching bolts (part number (P/N) TH 6x30 PL11 or an FAA-approved equivalent part number), nuts (P/N 6 PA-108 or an FAA-approved equivalent part number) with attaching bolts (P/N DIN 931 M6x30 (Pitch 1.0) Class 10.9 or an FAA-approved equivalent part number), and nuts (P/N DIN 982 M6 (Pitch

1.0) or an FAA-approved equivalent part number) in accordance with the Procedures section in Aeromot-Ind. Mecanico-Metalurgica Ltda. Service Bulletin No. SB-200-32-044, Issue Date August 18, 1997.

(b) 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 glider to a location where the requirements of this AD can be accomplished.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Blvd., suite 450, Atlanta, Georgia 30349. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta Aircraft Certification Office.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta Aircraft Certification Office.

(d) Questions or technical information related to Aeromot-Industria Mecanico Metalurgica Ltda. Service Bulletin No. SB-200-32-044, Issue Date: August 18, 1997, should be directed to Grupo Aeromot, Aeromot-Industria Mecanico Metalurgica Ltda., Av. das Industrias-1210, Bairro Anchieta, Caixa Postal 8031, 90200-Porto Alegre-RS, Brazil. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri.

(e) The replacements required by this AD shall be done in accordance with Aeromot-Ind. Mecanico-Metalurgica Ltda. Service Bulletin No. SB-200-32-044, Issue Date: August 18, 1997. 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 Grupo Aeromot, Aeromot-Industria Mecanico Metalurgica Ltda., Av. das Industrias-1210, Bairro Anchieta, Caixa Postal 8031, 90200-Porto Alegre-RS, Brazil. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**Note 3:** The subject of this AD is addressed in Brazilian CTA AD 97-09-06, dated August 14, 1997.

(f) This amendment (39-10366) becomes effective on April 17, 1998.

Issued in Kansas City, Missouri, on February 23, 1998.

**Marvin R. Nuss,**

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

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