

to be sampled ten contiguous originally planted tree sites will be sampled within the rows. Only trees more than five years old will be harvested for the sample. For example, if it is determined that five rows are to be sampled and 10 trees in the five rows are to be sampled, then a total of 50 trees are to be sampled ((10 original tree sites) × (5 rows) = 50 trees). A total of 4600 pounds will be harvested from the sample trees which is divided by 50 trees to obtain a yield of 92 pounds per tree. To find the yield for the block, 92 pounds is multiplied by 880 trees that were mapped in the block to yield 80,960 pounds per block. The harvested tonnage will be converted to a volume that represents the entire block of cherries. The grower should inform the Board when the samples are being taken so a compliance officer can observe the sampling. The compliance officer would be allowed to confirm that the block has been diverted.

(3) *Partial block diversion.* Partial block diversion will also be accomplished using maps supplied by the grower. Sampling will be done as in whole block diversion except that only partial blocks would be selected and sampled. Growers may divert one partial block per year. Such block must be mapped and would be sampled as described under whole block diversion. Rows used in partial block diversion must be contiguous.

(4) *In-orchard tank diversion.* Growers wishing to in-orchard tank divert must pick the cherries to be diverted and place them in harvesting tanks. A compliance officer would then probe the tanks for volume measurement and observe the destruction of the cherries on the grower's premises. Growers wishing to take advantage of this option must have at least 10 tanks ready for diversion. The compliance officer has up to five days to come to the grower's premises to observe the diversion after being contacted.

(c) *Compliance.* Growers who voluntarily participate in the grower diversion program must sign and file with the Board a Grower Diversion Application. By signing the application, a grower agrees to the terms and conditions of the grower diversion program as contained in these regulations. To be eligible to receive diversion credit, growers voluntarily choosing to divert cherries must meet the following terms and conditions:

(1) In order to receive a certificate, a grower must demonstrate, to the satisfaction of the Board, that rows or trees which were selected for diversion were not harvested. Trees four years old or younger do not qualify for diversion.

(2) The grower must furnish the Board with a total harvested production amount so the Board can calculate the amount of grower diversion tonnage to be placed on the diversion certificate. The Board will confirm the grower's production amount with information provided by handlers (to which the grower delivers cherries) on Board form Number Two.

(3) The grower must agree to allow a Board compliance officer to visit the grower's orchard to confirm that diversion has actually taken place. If the terms and conditions for whole block, partial block or in-orchard tank diversion are not completed, the Board shall not issue the grower a diversion certificate. If a grower who chooses random row diversion harvests rows that were designated not to be harvested, the grower should inform the Board immediately of the error. The grower will then be required to divert twice the amount (rows or trees) incorrectly harvested to correct the mistake. The grower will still receive a diversion certificate equal to the original requested amount. However, in instances where a grower is at the end of harvesting the orchard and fails to divert a complete block or specified rows, the Board shall multiply by two the difference between the original diversion amount and the actual diverted amount. The Board shall subtract that amount from the diversion application amount. Thus, the grower would receive a grower diversion certificate equal to a portion of the originally requested amount. If the grower does not inform the Board of such errors, the grower will not receive a diversion certificate.

Dated: June 15, 1998.

Robert C. Keeney,

Deputy Administrator, Fruit and Vegetable Programs.

[FR Doc. 98-16377 Filed 6-18-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 33

[Docket No. 98-ANE-119; Special Conditions No. 33-001-SC]

Special Conditions: Turbomeca S.A., Model Arriel 2S1 Turboshaft Engine

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued for the Turbomeca S.A., of

Bordes, France, Model Arriel 2S1 turboshaft engine. This engine was validated on June 10, 1996, by the Federal Aviation Administration (FAA) and Type Certificate No. E00054EN was issued. The engine will have an additional new novel or unusual engine rating. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards the Administrator considers necessary to establish a level of safety equivalent to that established by existing airworthiness standards.

EFFECTIVE DATE: June 19, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. 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; (781) 238-7115; Fax (781) 238-7199.

SUPPLEMENTARY INFORMATION:

Background

On March 19, 1998, Turbomeca S.A., applied for an amendment to Type Certificate No. E00054EN to include a new 30-minute engine rating to Model Arriel 2S1 turboshaft engine. The rating is intended for use up to 30 minutes at any time after takeoff in a flight for performing search and rescue missions. The Model Arriel 2S1 turboshaft engine will be rated at 30-Second one engine inoperative (OEI), 2-Minute OEI, Continuous OEI, 30-Minute, Takeoff, and Maximum Continuous ratings.

The applicable airworthiness requirements do not contain a definition for a "30-minute" power rating, and do not contain adequate or appropriate safety standards of this new and unusual engine rating. The FAA published a notice of proposed special conditions on April 29, 1998 (63 FR 23402), Docket No. 98-ANE-119, and requested public comments.

Type Certification Basis

Under the provisions of Title 14 of the Code of Federal Regulations (14 CFR) § 21.101 Turbomeca S.A., must show that the Model Arriel 2S1 turboshaft engine meets the requirements of the applicable regulations in effect on the date of the application, or the applicable provisions of the regulations incorporated by reference in Type Certificate No. E00054EN. The regulations incorporated by reference in the type certificate are commonly referred to as the "original type certification basis". The regulations

incorporated by reference in Type Certificate No. E00054EN are 21.29 and part 33, effective February 1, 1965, as amended by Amendments 33-1 through 33-14, and Special Conditions SC-33-ANE-05, Docket No. 95-ANE-46, published on April 15, 1996 (61 FR 16375).

The Administrator finds that the applicable airworthiness regulations in part 33, as amended, do not contain adequate or appropriate safety standards for the additional new engine rating for the Model Arriel 2S1 turboshaft engine because it is a novel or unusual engine rating feature, special conditions are prescribed under the provision of 14 CFR 21.16.

Special conditions, as appropriate, are issued in accordance with 14 CFR 11.49 after public notice, as required by §§ 11.28 and 11.29(b), and become part of the type certification basis in accordance with 14 CFR 21.101(b)(2).

Novel or Unusual Design Features

The Turbomeca S.A., Model Arriel 2S1 turboshaft engine will incorporate the following novel or unusual design features: Rated 30-minute power. The power available for rotorcraft hovering to perform maritime search and rescue missions is currently limited to the maximum continuous rating power under current part 33. The proposed "30-minute power" rating would provide higher power level than currently available for use up to 30 minutes at any time between takeoff and landing in one flight. This new rating will enhance rotorcraft safety through the availability of increased power for hovering operations calling for greater than maximum continuous power.

Discussion of Comments

Interested persons have been afforded the opportunity to participate in the making of these special conditions. No comments were received on the special conditions as proposed. After careful review of the available data, the FAA has determined that air safety and the public interest require the adoption of the special conditions without change.

Applicability

As discussed above, these special conditions are applicable to the Turbomeca S.A., Model Arriel 2S1 turboshaft engine. Should Turbomeca S.A., of Bordes, France, apply at a later date for a change to the type certificate to include another model incorporating the same or novel or unusual design feature, the special conditions would apply to that model as well under the provisions of 14 CFR 21.101(a)(1).

These special conditions provide necessary increased hover time to enable operators to better perform critical, life-saving search and rescue missions, particularly in overwater situations. For this reason and because a delay would not be in the public interest, the FAA has determined that good cause exists for adopting these special conditions immediately upon publication.

Conclusion

This action affects only certain novel or unusual design features on one model of engines. It is not a rule of general applicability and it affects only the applicant 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. 106(g), 40113, 44701-44702, 44704.

The Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for the Turbomeca S.A., Model Arriel 2S1 turboshaft engine:

Section 33.4, Instructions for Continued Airworthiness

(a) In addition to the requirements of § 33.4, the procedures must:

(1) Ensure that the engine deterioration in service will not exceed the level shown in certification using the rated 30-minute rating.

(2) Be included in the airworthiness limitations section of the Instructions for Continued Airworthiness.

Section 33.7, Engine Ratings and Operating Limitations

(a) In addition to the ratings provided in § 33.7, a "Rated 30-minute power" rating is available, which shall be defined as the approved brake horsepower developed under static conditions at specified altitudes and temperatures within the operating limitations established under part 33 of this chapter, and limited in use to periods of not over 30 minutes each.

Section 33.87, Endurance Test

(a) Unless already accomplished under § 33.87(d), in addition to the requirements of § 33.87, the following test must be conducted:

Rated 30-minute power. Thirty minutes at rated 30-minute power

during the twenty-five 6-hour endurance test cycles.

Issued in Burlington, Massachusetts on June 12, 1998.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-ANE-46-AD; Amendment 39-10585; AD 98-12-32]

RIN 2120-AA64

Airworthiness Directives; CFM International CFM56-2, -2A, -2B, -3, -3B, and -3C Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to CFM International (CFMI) CFM56-2, -2A, -2B, -3, -3B, and -3C series turbofan engines, that requires a one-time eddy current inspection (ECI) for cracks or gouges in certain high pressure turbine rotor (HPTR) disks. This amendment is prompted by a report of a HPTR disk found to have a crack in a rim bolt hole during a routine shop manual ECI. The actions specified by this AD are intended to prevent the potential for an uncontained failure of the HPTR disk, which could result in an inflight engine shutdown, aborted takeoff, or damage to the aircraft.

DATES: Effective July 20, 1998.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 20, 1998.

ADDRESSES: The service information referenced in this AD may be obtained from CFM International, Technical Publications Department, 1 Neumann Way, Cincinnati, OH 45215; telephone (513) 552-2981, fax (513) 552-2816. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Regional 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.

FOR FURTHER INFORMATION CONTACT: Glorianne Messemer, Aerospace Engineer, Engine Certification Office,