proceeds of the property. Liquidation proceeds (in the case of foreclosure) or the net recovery value (in the case of deed in lieu of foreclosure) will be applied or credited to the borrower’s debt in accordance with the security agreement in the following order:

- Recoverable costs (e.g., protective advances, foreclosure costs, late charges).
- Accrued interest.
- Principal.
- Subsidy.

(3) Value appreciation. The value appreciation of property with a cross-collateralized loan is based on the market value of the dwelling and lot. If located on a farm, the lot size would be a typical lot for a single family housing property.

(4) Interest reduced from the promissory note rate to six percent under the Servicemembers Civil Relief Act (SCRA) is not subject to recapture.

(c) Deferral of recapture. If the borrower refinances or otherwise pays in full without transfer of title and continues to occupy the property, the amount of recapture will be calculated in accordance with paragraph (a) of this section but payment of recapture may be deferred, interest free, until the property is sold or vacated. If the recapture amount is deferred, the Agency mortgage can be subordinated when in existing facilities using eligible biorefineries and for the retrofitting of existing facilities using eligible technology for the development of advanced biofuels. The document inadvertently omitted provisions as to what an applicant is to do in the event an appraisal has not been completed at the time of application. Previously, in implementing through a series of notices published in the Federal Register, the Agency allowed such applicants to submit an estimated appraisal. This allowance was inadvertently left out of the interim rule, and the Agency has revised §4279.261(e) accordingly. The credit rating and appraisal would need to be provided before issuance of the Loan Note Guarantee.

List of Subjects in 7 CFR Part 4279

Biorefinery assistance. Loan programs—Business and industry, Rural development assistance, Rural areas.

For the reasons set forth in the preamble, title 7, chapter XLII of the Code of Federal Regulations, is amended as follows:

CHAPTER XLII—RURAL BUSINESS-COOPERATIVE SERVICE AND RURAL UTILITIES SERVICE, DEPARTMENT OF AGRICULTURE

PART 4279—GUARANTEED LOANMAKING

1. The authority citation for part 4279 continues to read as follows:


Subpart C—Biorefinery Assistance Loans

2. Section 4279.202 is amended by revising paragraph (d) to read as follows:

§ 4279.202 Compliance with §§ 4279.1 through 4279.84.

* * * * *

(d) Independent credit risk analysis. The Agency will require an evaluation and either a credit rating or a credit assessment of the total project’s indebtedness, without consideration for a government guarantee, from a nationally-recognized rating agency for loans of $125,000,000 or more.

* * * * *

3. Section 4279.261 is amended by revising paragraphs (b)(6) and (e) to read as follows:

§ 4279.261 Application for loan guarantee content.

* * * * *

(b) * * * * *

(6) For loans of $125 million or more, an evaluation and either a credit rating or a credit assessment of the total project’s indebtedness, without consideration for a government guarantee, from a nationally-recognized rating agency; and

* * * * *
§ 4279.244. Conducted as specified under

DATES: This AD becomes effective on February 8, 2012. The incorporation by reference of certain publications is approved by the Director of the Federal Register as of February 8, 2012. We must receive comments on this AD by March 26, 2012.

ADDRESSES: You may send comments by any of the following methods:

• Federal eRulemaking Portal: Go to http://www.regulations.gov. Follow the instructions for submitting your comments electronically.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[FR Doc. 2012–1149 Filed 1–23–12; 8:45 am]

SUMMARY: We are superseding an existing airworthiness directive (AD) for the specified ECF model helicopters. This AD results from a mandatory continuing airworthiness information (MCAI) AD issued by the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union. The MCAI AD states that some cracks have been discovered in the spar of the upper fin on Model AS355N helicopters. Due to the fin design similarity between AS350 and AS355 helicopters, this AD applies to both model helicopters. Modifying the upper and lower fin attachment is intended to prevent failure of a spar, loss of a fin, a separated fin hitting a rotor, and subsequent loss of control of a helicopter.

DATES: This AD becomes effective on February 8, 2012.

The incorporation by reference of certain publications is approved by the Director of the Federal Register as of February 8, 2012. We must receive comments on this AD by March 26, 2012.

ADDRESSES: You may send comments by any of the following methods:

• Federal eRulemaking Portal: Go to http://www.regulations.gov. Follow the instructions for submitting your comments electronically.

• Fax: (202) 493–2251.


• Hand Delivery: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may get the service information identified in this AD from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, TX 75053–4005, telephone (972) 641–3460, fax (972) 641–3527, or at http://www.eurocopter.com.

Examine The Docket: You may examine the AD docket on the Internet at http://www.regulations.gov or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the economic evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is stated in the ADDRESSES section of this AD. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Jim Grigg, ASW–112, Aviation Safety Engineer, Rotorcraft Directorate, Safety Management Group, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5126, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: Discussion

On March 11, 1983, we issued AD 82–13–05 R1, Amendment 39–4567 (48 FR 13406, March 31, 1983), which revised AD 82–13–05, Amendment 39–4401 (47 FR 27244, June 24, 1982), which superseded AD 82–02–02, Amendment 39–4294 (47 FR 1113, January 11, 1982). The current AD requires a visual check for a crack in the flanges of the upper vertical fin support before the first flight each day. It also requires an initial 10 hours time-in-service (TIS) inspection and thereafter, at intervals not to exceed 50 hours TIS, repetitive dye-penetrant or equivalent inspections for a crack in the flange of the upper vertical fin support. Since we issued those ADs, there have been additional reports of cracks in the spar area of the upper tail fin of the ECF Model AS355N helicopters. EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD No. 2009–0030, dated February 12, 2009, which supersedes EASA AD 2008–0121, dated June 27, 2008, for the AS350 helicopters. EASA has also issued AD No. 2009–0029, dated February 12, 2009, which supersedes EASA AD 2008–0120, dated June 27, 2008, for the AS355 helicopters. This latest unsafe condition results from additional cracks that have been discovered in the spar of the upper fin on Model AS355N helicopters. Due to the fin design similarity between AS350 and AS355 helicopters, the same corrective action applies to both model helicopters.

Modifying the upper and lower fin attachment is intended to prevent failure of a spar, loss of a fin, a separated fin hitting a rotor, and subsequent loss of control of a helicopter.

You may obtain further information by examining the MCAI and any related service information in the AD docket.

Related Service Information

ECF has issued Alert Service Bulletin (ASB) No. 55.00.12, Revision 1, dated January 5, 2009, specifying MOD 073330 for the Model AS355E, F, F1, F2, and N helicopters and No. 55.00.16, Revision 1, dated January 5, 2009, specifying MOD 073330 for the Model AS350B, B1, B2, B3, BA, and D, and AS355E, F, F1, F2, and N helicopters. ECF has also issued ASB No. 55.00.11, Revision 2, dated February 28, 2008, specifying MOD 073288 for the AS355 E, F, F1, F2, and N helicopters and No. 55.00.13, Revision 2, dated February 28, 2008, specifying MOD 073288 for the AS350B3 helicopters. These ASBs specify various inspections and modifications for improving or monitoring upper and lower fin attachments and improving the attachment strength for upper and lower tailboom fin. The actions described in the MCAI AD are intended to correct the same unsafe condition as that identified in the service information.

FAA’s Evaluation and Unsafe Condition Determination

These products have been approved by the aviation authority of France and are approved for operation in the United States. Pursuant to our bilateral agreement with France, EASA, their technical agent, has notified us of the unsafe condition described in the MCAI AD. We are issuing this AD because we evaluated all information provided by the EASA and determined the unsafe condition exists and is likely to exist or develop on other ECF helicopters of these same type designs.