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## SMALL BUSINESS ADMINISTRATION

### 13 CFR Part 121

RIN 3245-AG29

#### Small Business Size Standards; Educational Services; Correction

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Correcting amendment.

**SUMMARY:** This document corrects the U.S. Small Business Administration's (SBA) final rule that appeared in the *Federal Register* on Monday, September 24, 2012. The rule, effective October 24, 2012, increased small business size standards for nine industries in North American Industry Classification System (NAICS) Sector 61, Educational Services, while retaining the existing size standards for the remaining eight industries and the Job Corps Centers exception under NAICS 611519, Other Technical and Trade Schools, within that Sector. However, the Job Corps Centers exception and its size standard were deleted in error from SBA's table of size standards. This correction reinstates the Job Corps Centers

exception under NAICS 611519 and its \$35.5 million size standard.

**DATES:** Effective June 17, 2013 and is applicable beginning October 24, 2012.

**FOR FURTHER INFORMATION CONTACT:** Khem Sharma, Chief, Office of Size Standards, U.S. Small Business Administration, 409 Third Street SW., Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 2012-23373, appearing on page 58739 in the September 24, 2012 issue of the *Federal Register* (77 FR 58739) a correction is necessary on page 58746. Specifically, SBA increased the size standard for NAICS 611519 from \$7 million to \$14 million in average annual receipts but retained the \$35.5 million size standard for the Job Corps Centers exception to that industry. The supplementary information in the final rule provided a detailed explanation of why SBA was retaining its current \$35.5 million size standard for the Job Corps Centers exception. However, the Job Corps Centers exception to NAICS 611519 and its size standard were deleted in error from SBA's table of size standards in 13 CFR 121.201.

#### Need for Correction

This action is needed to correct the table in 13 CFR 121.201 by reinstating the Job Corps Centers exception under NAICS 611519 and its corresponding \$35.5 million size standard. As published, the final rule and CFR can lead a reader to conclude incorrectly that SBA deleted the Job Corps Centers exception and its \$35.5 million size standard from SBA's table of size standards. SBA had explained in the

final rule why it was retaining the existing \$35.5 million size standard for Job Corps Centers instead of changing it. When the rule was published in the *Federal Register*, the entry for "611519" was revised, with no change to the \$35.5 million size standard for the Job Corps Centers exception under that entry. However, this appears to have been read as the removal of Job Corps Centers exception and its \$35.5 million size standard, resulting in their deletion from the table in 13 CFR 121.201.

#### List of Subjects in 13 CFR Part 121

Administrative practice and procedure, Government procurement, Government property, Grant programs—business, Individuals with disabilities, Loan programs—business, Reporting and recordkeeping requirements, Small businesses.

For the reasons set forth in the preamble, SBA amends 13 CFR part 121 by making the following correcting amendment:

#### PART 121—SMALL BUSINESS SIZE REGULATIONS

■ 1. The authority citation for part 121 is revised to read as follows:

**Authority:** 15 U.S.C. 632, 634(b)(6), 662, 694a(9).

■ 2. In § 121.201, in the table, revise the entry for "611519" to read as follows:

#### § 121.201 What size standards has SBA identified by North American Industry Classification System codes?

\* \* \* \* \*

#### SMALL BUSINESS SIZE STANDARDS BY NAICS INDUSTRY

NAICS Code	NAICS U.S. industry title	Size standards in millions of dollars	Size standards in number of employees
* * * * *			
611519	Other Technical and Trade Schools	\$14.0	*
Except	Job Corps Centers <sup>16</sup>	<sup>16</sup> 35.5	
* * * * *			

<sup>16</sup> NAICS codes 611519—Job Corps Centers. For classifying a Federal procurement, the purpose of the solicitation must be for the management and operation of a U.S. Department of Labor Job Corps Center. The activities involved include admissions activities, life skills training, educational activities, comprehensive career preparation activities, career development activities, career transition activities, as well as the management and support functions and services needed to operate and maintain the facility. For SBA assistance as a small business concern, other than for Federal Government procurements, a concern must be primarily engaged in providing the services to operate and maintain Federal Job Corps Centers.

\* \* \* \* \*

Dated: June 11, 2013.

**Calvin Jenkins,***Deputy Associate Administrator for Government Contracting and Business Development.*

[FR Doc. 2013-14263 Filed 6-14-13; 8:45 am]

BILLING CODE 8205-01-P

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 23****[Docket No. CE308; Special Conditions No. 23-248-SC]****Special Conditions: Cirrus Design Corporation Model SF50 Airplane; Function and Reliability Testing; Withdrawal****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final special conditions; withdrawal.

**SUMMARY:** The FAA is withdrawing a previously published notice granting special conditions for the Cirrus Design Corporation model SF50 airplane. We are withdrawing Special Condition No. 23-248-SC through mutual agreement with Cirrus Design Corporation.

**DATES:** This special condition published on August 18, 2010 at 75 FR 50853 is withdrawn, effective June 17, 2013.

**FOR FURTHER INFORMATION CONTACT:** J. Lowell Foster, Federal Aviation Administration, Small Airplane Directorate, Aircraft Certification Service, 901 Locust, Room 301, Kansas City, MO 64106; telephone (816) 329-4125; facsimile (816) 329-4090.

**SUPPLEMENTARY INFORMATION:****Background**

On August 18, 2010, the FAA published Special Condition No. 23-248-SC for the Cirrus Design Corporation new model SF50 "Vision" Jet. The SF50 is a low-wing, five-plus-two-place (2 children), single-engine turboprop-powered aircraft. It incorporates an Electronic Flight Information System (EFIS), pressurized cabin, retractable gear, and a V-tail. The turboprop engine is mounted on the upper fuselage/tail cone along the aircraft centerline. It is constructed largely of carbon and fiberglass composite materials. Like other Cirrus products, the SF50 includes a ballistically deployed airframe parachute.

The model SF50 has a maximum operating altitude of 28,000 feet, where

it cruises at speeds up to 300 Knots True Air Speed (KTAS). Its  $M_{MO}$  will not exceed 0.62 Mach. The maximum takeoff weight will be at or below 6000 pounds with a range at economy cruise of roughly 1000 nm. Cirrus intends for the model SF50 to be certified for single-pilot operations under 14 CFR part 91 and 14 CFR part 135 operating rules. The following operating conditions will be included:

- Day and Night VFR
- IFR
- Flight Into Known Icing

**Discussion**

Before Amendment 3-4, Section 3.19 of Civil Air Regulation (CAR) part 3 required service testing of all airplanes type certificated on or after May 15, 1947. The purpose of the testing was to "ascertain whether there is reasonable assurance that the airplane, its components, and equipment are reliable, and function properly."

Amendment 3-4 to CAR part 3 became effective January 15, 1951, and deleted the service test requirements in Section 3.19 for airplanes of 6,000 pounds maximum weight or less. The introductory text published in Amendment 3-4 explained that most of the significant changes in the amendment stemmed from "the desire for simplification of the rules in this part with respect to the smaller airplanes, specifically those of 6,000 pounds maximum weight or less, which would be expected to be used mainly as personal airplanes." The introductory material also stated the service test requirement was removed for airplanes of 6,000 pounds maximum weight or less because "experience seems to indicate that this rule imposes a burden upon the manufacturers not commensurate with the safety gained." The requirement for Function and Reliability (F&R) testing, and the exception for airplanes of 6,000 pounds or less maximum weight, is now found in 14 CFR part 21, section 21.35(b)(2).

The decision to exempt airplanes of 6,000 pounds maximum weight or less from F&R testing was based on the state of technology envisioned in 1951. At that time, airplanes of 6,000 pounds maximum weight or less were expected to be used mainly as personal airplanes. They used simple, "stand-alone" systems whose failure was more likely to be an inconvenience than an accident. The situation is different today. Technological advances allow airplanes weighing less than 6,000 pounds to be more complex and integrated than some transport airplanes. New part 23 airplanes can incorporate sophisticated equipment not

previously used in a part 23 aircraft. Additionally, part 23 airplanes are being used for business and commercial transportation. They should no longer be envisioned mainly as personal airplanes. Therefore, a special condition to require F&R testing for airplanes weighing 6,000 pounds or less is needed where the level of sophistication is beyond evaluating failures by inspection.

The model SF50 certification project was granted an extension on September 19, 2011. 14 CFR part 21, Amendment 95, published in the **Federal Register** (76 FR 64229) on October 18, 2011, incorporated Special Condition No. 23-248-SC. On December 11, 2012, Cirrus Design Corporation elected to adjust the model SF50 certification basis to Amendment 21-95.

**Reason for Withdrawal**

The FAA is withdrawing Special Condition No. 23-248-SC because Cirrus elected to revise the model SF50 certification basis to Amendment 21-95.

The authority citation for this Special Condition withdrawal is 49 U.S.C. 106(g), 40113 and 44701; 14 CFR 21.16 and 21.17; and 14 CFR 11.38 and 11.19.

**Conclusion**

Withdrawal of this special condition does not preclude the FAA from issuing another notice on the subject matter in the future or committing the agency to any future course of action.

Issued in Kansas City, Missouri on June 7, 2013.

**Earl Lawrence,***Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2013-14327 Filed 6-14-13; 8:45 am]

BILLING CODE 4910-13-P

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 25****[Docket No. FAA-2013-0453; Special Conditions No. 25-489-SC]****Special Conditions: The Boeing Company, Model 717-200 Series Airplanes; Seats With Inflatable Lapbelts****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final Special Condition; Request for Comments.

**SUMMARY:** These special conditions are issued for the Boeing Model 717-200 series airplanes. These airplanes will have a novel or unusual design feature