definition of ''Qualified debt'' in paragraph (g)(15), to read as follows:

§ 120.882 Eligible Project costs for 504 loans.

* * * * *

(e) * * *

(1) Substantially all (85% or more) of the proceeds of the indebtedness were used to acquire land, including a building situated thereon, to construct a building thereon, or to purchase equipment. The assets acquired must be eligible for financing under the 504 loan program. If the acquisition, construction or purchase of the asset was originally financed through a commercial loan that would have satisfied the ''substantially all'' requirement and that was subsequently refinanced one or more times, with the current commercial loan being the most recent refinancing, the current commercial loan will be deemed to satisfy this paragraph (e)(1).

* * * * *

(g) * * *

(4) In addition to the annual guarantee fee assessed under § 120.971(d)(2), Borrower must pay SBA a supplemental annual guarantee fee to cover the additional cost attributable to the refinancing in an amount established by SBA each fiscal year.

(5) The funding for the Refinancing Project must come from three sources based on the current fair market value of the fixed assets serving as collateral for the Refinancing Project, including a Third Party Loan that is at least as much as the 504 loan, not less than 10% from the Borrower (excluding administrative costs), and not more than 40% from the 504 loan. In addition to a cash contribution, the Borrower's 10% contribution may be satisfied as set forth in § 120.910 or by the equity in any other fixed assets that are acceptable to SBA as collateral for the Refinancing Project, provided that there is an independent appraisal of the fair market value of the asset;

(6)(i) The portion of the Refinancing Project provided by the 504 loan and the Third Party Loan may be no more than 90% of the fair market value of the fixed assets that will serve as collateral;

(ii) The Borrower's application may include a request to finance eligible business expenses as part of the Refinancing Project if the amount of cash funds that will be provided for the Refinancing Project exceeds the amount to be paid to the lender of the Qualified Debt. The Borrower's application must include a specific description of the business expenses for which the financing is requested and an itemization of the amount of each expense. For the purposes of this paragraph (b), ''eligible business expenses'' means the business expenses of the Borrower, such as salaries, rent, utilities, inventory, or other obligations of the business, that were incurred but not paid prior to the date of application or that will become due for payment within eighteen months after the date of application. Both the CDC and the Borrower must certify in the application that the funds will be used to cover eligible business expenses. Borrower must, upon request, substantiate the use of the funds provided for business expenses through, for example, bank statements, invoices marked ''paid,'' cleared checks, or any other documents that demonstrate that a business obligation was satisfied with the funds provided.

* * * * *

(15) * * *

Qualified debt * * *

(iii) Substantially all (85% or more) of which was for an Eligible Fixed Asset. If the Eligible Fixed Asset was originally financed through a commercial loan that would have satisfied the ''substantially all'' standard (the ''original loan'') and that was subsequently refinanced one or more times, with the current commercial loan being the most recent refinancing, the current commercial loan will be deemed to satisfy this paragraph (iii). If the original loan was for the construction of a new building, or the acquisition, renovation, or reconstruction of an existing building, and such loan would not have satisfied the leasing policies set forth in 13 CFR 120.131 and 13 CFR 120.870(b), the current commercial loan will be deemed to satisfy these policies, provided that Borrower demonstrates compliance with 13 CFR 120.131(b) for existing buildings as of the date of application.

* * * * *

(vii) For which the applicant for the refinancing available under this paragraph (g) has been current on all payments due for not less than one year preceding the date of application. For the purposes of this paragraph (vii), ''current on all payments due'' means that no payment was more than 30 days past due from either the original payment terms or modified payment terms (including deferments) if such modification was agreed to in writing by the Borrower and the lender of the existing debt prior to the October 12, 2011. Any delinquency in payment on the loan to be refinanced after approval and before debenture funding must be reported to SBA as an adverse change.

* * * * *

Karen G. Mills,

Administrator.

[FR Doc. 2011–26311 Filed 10–7–11; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2011–0568; Directorate Identifier 2011–NM–010–AD; Amendment 39–16824; AD 2011–21–01]

RIN 2120–AA64

Airworthiness Directives; Fokker Services B.V. Model F.27 Mark 050, 200, 300, 400, 500, 600, and 700 Airplanes; and Model F.28 Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

[T]he Federal Aviation Administration (FAA) has published Special Federal Aviation Regulation (SFAR) 88, and the Joint Aviation Authorities (JAA) has published Interim Policy INT/POL/25/12. The review conducted by Fokker Services on the Fokker F27 and F28 type designs in response to these regulations revealed that, under certain failure conditions, a short circuit can develop in the fuel pilot valve solenoid or in the wiring to the solenoid. Such a short circuit may result in an ignition source in the wing tank vapour space.

This condition, if not corrected, could result in a wing fuel tank explosion and consequent loss of the aeroplane.

* * * * *

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective November 16, 2011.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 16, 2011.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the

U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1137; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on June 21, 2011 (76 FR 36011). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

> [T]he Federal Aviation Administration (FAA) has published Special Federal Aviation Regulation (SFAR) 88, and the Joint Aviation Authorities (JAA) has published Interim Policy INT/POL/25/12. The review conducted by Fokker Services on the Fokker F27 and F28 type designs in response to these regulations revealed that, under certain failure conditions, a short circuit can develop in the fuel pilot valve solenoid or in the wiring to the solenoid. Such a short circuit may result in an ignition source in the wing tank vapour space.
>
> This condition, if not corrected, could result in a wing fuel tank explosion and consequent loss of the aeroplane.
>
> For the reasons described above, this AD requires [re-working the wiring and] the installation of a fuse packed in a jiffy junction [i.e., crimped wire in-line junction device] in the wiring to the fuel pilot valve solenoid.

The required actions also include revising the maintenance program to include a certain Critical Design Configuration Control Limitation (CDCCL). You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (76 FR 36011, June 21, 2011) or on the determination of the cost to the public.

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are highlighted in a NOTE within the AD.

Costs of Compliance

We estimate that this AD will affect 6 products of U.S. registry. We also estimate that it will take about 6 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Required parts will cost up to $2,198 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of this AD to the U.S. operators up to $16,248, or up to $2,708 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect 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.

For the reasons discussed above, I certify this AD:

1. Is not a ''significant regulatory action'' under Executive Order 12866;
2. Is not a ''significant rule'' under the 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

Examining the AD 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 the NPRM (76 FR 36011, June 21, 2011), the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The FAA amends § 39.13 by adding the following new AD:

2011–21–01 Fokker Services B.V.: Amendment 39–16824. Docket No. FAA–2011–0568; Directorate Identifier 2011–NM–010–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective November 16, 2011.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Fokker Services B.V. Model F.27 Mark 050, 200, 300, 400, 500,

600, and 700 airplanes; and Fokker Services B.V. Model F.28 Mark 0070, 0100, 1000, 2000, 3000, and 4000 airplanes; certificated in any category; all serial numbers.

Note 1: This AD requires revisions to certain operator maintenance documents to include a new Critical Design Configuration Control Limitation (CDCCL). Compliance with this CDCCL is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (j)(1) of this AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Subject

(d) Air Transport Association (ATA) of America Code 28: Fuel.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

[T]he Federal Aviation Administration (FAA) has published Special Federal Aviation Regulation (SFAR) 88, and the Joint Aviation Authorities (JAA) have published Interim Policy INT/POL/25/12. The review conducted by Fokker Services on the Fokker F27 and F28 type designs in response to these regulations revealed that, under certain failure conditions, a short circuit can develop in the fuel pilot valve solenoid or in the wiring to the solenoid. Such a short circuit may result in an ignition source in the wing tank vapour space.

This condition, if not corrected, could result in a wing fuel tank explosion and consequent loss of the aeroplane.

* * * * *

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Installation of Fuses Packed in Jiffy Junctions

(g) Within 24 months after the effective date of this AD, re-work the wiring and install the fuses packed in jiffy junctions (i.e., crimped wire in-line junction device), in accordance with the Accomplishment Instructions of the applicable Fokker service bulletin identified in table 1 of this AD.

TABLE 1—SERVICE BULLETINS

Fokker Service Bulletin—	Dated—
SBF50–28–024, including Drawing W7916–057, Sheets 006 and 007, Issue E, dated June 23, 2010, Drawing W7987–520, Sheets 1 and 2, dated October 24, 2005, and Manual Change Notification—Maintenance Document MCNM–F50–070, dated June 23, 2010.	June 23, 2010.
SBF28–28–051, including Drawing W57231, Sheets 010 and 011, Issue K, dated June 23, 2010, Drawing W58048, Sheet 2, dated April 29, 2010, and Manual Change Notification—Maintenance Document MCNM–F28–034, dated June 23, 2010.	June 23, 2010.
SBF27–28–069, including Drawing W7202–138, Sheets 001 and 002, Issue B, dated June 23, 2010, and Manual Change Notification—Maintenance Document MCNM–F27–025, dated June 23, 2010.	June 23, 2010.
SBF100–28–042, including Drawing W41192, Sheet 012, Issue AG, dated June 23, 2010, Drawing W59520, Sheet 1, Issue A, dated April 29, 2010, and Manual Change Notification—Maintenance Document MCNM–F100–129, dated June 23, 2010.	June 23, 2010.

Critical Design Configuration Control Limitation (CDCCL)

(h) Before further flight after doing the actions required by paragraph (g) of this AD: Revise the aircraft maintenance program by incorporating the CDCCL specified in paragraph 1.L.(1)(c) of the applicable Fokker service bulletins identified in table 1 of this AD.

No Alternative Actions, Intervals, and/or CDCCLs

(i) After accomplishing the revision required by paragraph (h) of this AD, no alternative CDCCLs may be used unless the CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (j)(1) of this AD.

FAA AD Differences

Note 2: This AD differs from the MCAI and/or service information as follows:

Although European Aviation Safety Agency (EASA) Airworthiness Directive 2010–0195, dated September 29, 2010, specifies revising the maintenance program to include maintaining CDCCLs, this AD only requires the revision. Requiring a revision of the maintenance program, rather than requiring maintaining CDCCLs, requires operators to record AD compliance only at the time the revision is made. Maintaining CDCCLs specified in the airworthiness limitations must be complied with in accordance with 14 CFR 91.403(c).

Other FAA AD Provisions

(j) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance:* The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone 425–227–1137; fax 425–227–1149. Information may be e-mailed to: *9-ANM-11-AMOC-REQUESTS@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

Related Information

(k) Refer to MCAI EASA Airworthiness Directive 2010–0195, dated

September 29, 2010, and the Fokker service bulletins identified in table 1 of this AD, for related information.

Material Incorporated by Reference

(l) You must use the following service information, as applicable, to do the actions required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference (IBR) under 5 U.S.C. 552(a) and 1 CFR part 51 of the following service information on the date specified.

(1) Fokker Service Bulletin SBF50–28–024, including Manual Change Notification—Maintenance Document MCNM–F50–070, dated June 23, 2010, and including Drawing W7916–057, Sheets 006 and 007, Issue E, dated June 23, 2010, and Drawing W7987–520, Sheets 1 and 2, dated October 24, 2005, approved for IBR November 16, 2011.

(2) Fokker Service Bulletin SBF28–28–051, including Manual Change Notification—Maintenance Document MCNM–F28–034, dated June 23, 2010, and including Drawing W57231, Sheets 010 and 011, Issue K, dated June 23, 2010, and Drawing W58048, Sheet 2, dated April 29, 2010, approved for IBR November 16, 2011.

(3) Fokker Service Bulletin SBF27–28–069, including Manual Change Notification—Maintenance Document MCNM–F27–025, dated June 23, 2010, and including Drawing W7202–138, Sheets 001 and 002, Issue B,

dated June 23, 2010, approved for IBR November 16, 2011.

(4) Fokker Service Bulletin SBF100–28–042, including Manual Change Notification—Maintenance Document MCNM–F100–129, dated June 23, 2010, and including Drawing W41192, Sheet 012, Issue AG, dated June 23, 2010, and Drawing W59520, Sheet 1, Issue A, dated April 29, 2010, approved for IBR November 16, 2011.

(5) For service information identified in this AD, contact Fokker Services B.V., Technical Services Dept., P.O. Box 231, 2150 AE Nieuw-Vennep, the Netherlands; telephone +31 (0)252–627–350; fax +31 (0)252–627–211; e-mail *technicalservices.fokkerservices@stork.com;* Internet: *http://www.myfokkerfleet.com.*

(6) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

(7) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

Issued in Renton, Washington, on September 23, 2011.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2011–25768 Filed 10–11–11; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2011–0999; Directorate Identifier 2010–NM–235–AD; Amendment 39–16825; AD 2011–21–02]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A330–243F Airplanes Equipped With Rolls Royce Trent 700 Series Engines

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

During flight tests, unexpected fatigue high loads were measured on the hinges integrated on the 12 o'clock beam which form the upper extreme edge of the thrust reverser unit C duct.

This situation, if not corrected, could lead to the separation of the thrust reverser from the aeroplane and therefore to damage of the aeroplane and hazards to persons or property on the ground.

* * * * *

This AD requires actions that are intended to address the unsafe condition described in the MCAI.

DATES: This AD becomes effective October 27, 2011.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of October 27, 2011.

We must receive comments on this AD by November 28, 2011.

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 comments.
- *Fax:* (202) 493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *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, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examining the AD 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 regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1138; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2010–0187, dated September 21, 2010 (referred to after this as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

During flight tests, unexpected fatigue high loads were measured on the hinges integrated on the 12 o'clock beam which form the upper extreme edge of the thrust reverser unit C duct.

This situation, if not corrected, could lead to the separation of the thrust reverser from the aeroplane and therefore to damage of the aeroplane and hazards to persons or property on the ground.

DGAC [Directorate General for Civil Aviation] AD F–1997–118–047 was issued to prevent structural damage of the thrust reversers.

This [EASA] AD, which supersedes DGAC AD F–1997–118–047R2 [which corresponds with FAA AD 2001–09–14, Amendment 39–12221 (66 FR 23838, May 10, 2001] * * * is issued to extend the applicability to the newly certified model A330–243F.

Required actions include repetitive general visual inspections for cracks of the hinge assemblies and along the beam structure of the right and left engine thrust reversers, detailed inspection for cracking of hinges 2, 3, 4, and 5 of the left and right thrust reversers if no cracking is found during any general inspection, and replacing the affected thrust reverser of each engine if any crack is found. You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Airbus has issued Mandatory Service Bulletin A330–78–3006, Revision 09, including Appendix 1, dated October 21, 2009. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

There are no products of this type currently registered in the United States. However, this rule is necessary to ensure that the described unsafe condition is addressed if any of these