

The two comments that were received after the deadline have also been considered by SBA. Both submitters suggested that the regulation be amended to include contracts for the sale of biomass products to increase the number of contracts for which small businesses could obtain bonding. SBA agrees and has modified the definition of "Contract" in this final rule to clarify that this change applies to contracts for the sale of timber as well as other forest products, including biomass.

*Compliance With Executive Orders 12866, 12988, and 13132, the Paperwork Reduction Act (44 U.S.C. Ch. 35) and the Regulatory Flexibility Act (5 U.S.C. 601–612)*

Executive Order 12866

The Office of Management and Budget (OMB) has determined that this rule does not constitute a significant regulatory action under Executive Order 12866. This rule is also not a major rule under the Congressional Review Act.

Executive Order 12988

This action meets applicable standards set forth in Sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden. The action does not have retroactive or preemptive effect.

Executive Order 13132

For purposes of Executive Order 13132, SBA has determined that this final rule 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, for the purpose of Executive Order 13132, Federalism, SBA has determined that this final rule has no federalism implications warranting preparation of a federalism assessment.

Paperwork Reduction Act, 44 U.S.C., Ch. 35

SBA has determined that this final rule does not impose additional reporting or recordkeeping requirements under the Paperwork Reduction Act, 44 U.S.C., Chapter 35.

Regulatory Flexibility Act, 5 U.S.C. 601–612

The Regulatory Flexibility Act (RFA), 5 U.S.C. 601, requires administrative agencies to consider the effect of their actions on small entities, small non-profit enterprises, and small local governments. Pursuant to the RFA, when an agency issues a rulemaking,

the agency must prepare a regulatory flexibility analysis which describes the impact of the rule on small entities. However, section 605 of the RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the rulemaking is not expected to have a significant economic impact on a substantial number of small entities. Within the meaning of RFA, SBA certifies that this rule will not have a significant economic impact on a substantial number of small entities. There are seventeen Sureties that participate in the SBA program, and no part of this final rule would impose any significant additional cost or burden on them.

#### List of Subjects in 13 CFR Part 115

Claims, Small businesses, Surety bonds.

For the reasons stated in the preamble, the Small Business Administration amends 13 CFR Part 115 as follows:

#### PART 115—SURETY BOND GUARANTEE

- 1. The authority citation for part 115 continues to read as follows:

**Authority:** 5 U.S.C. app. 3, 15 U.S.C. 687b, 687c, 694b, 694b note, Pub. L. 106–554; and Pub. L. 108–447, Div. K, Sec. 203.

- 2. Amend § 115.10 by revising the third sentence of the definition of "Contract" to read as follows.

#### § 115.10 Definitions.

\* \* \* \* \*

*Contract* \* \* \* A contract does not include a permit, subdivision contract, lease, land contract, evidence of debt, financial guarantee (e.g., a contract requiring any payment by the Principal to the Oblige, except for contracts in connection with bid and performance bonds for the sale of timber and/or other forest products, such as biomass, that require the Principal to pay the Oblige), warranty of performance or efficiency, warranty of fidelity, or release of lien (other than for claims under a guaranteed bond). \* \* \*

\* \* \* \* \*

**Karen G. Mills,**  
*Administrator.*

[FR Doc. 2011–4010 Filed 2–22–11; 8:45 am]

**BILLING CODE 8025–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2010–0892; Directorate Identifier 2010–NE–32–AD; Amendment 39–16615; AD 2011–05–06]

RIN 2120–AA64

#### Airworthiness Directives; Thielert Aircraft Engines GmbH Models TAE 125–02–99 and TAE 125–02–114 Reciprocating Engines

**AGENCY:** Federal Aviation Administration (FAA), 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) issued 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:

Service experience has shown that fracture of the timing chain has occurred due to chain wear. This condition, if not corrected, could lead to in-flight cases of engine shutdown.

We are issuing this AD to prevent engine in-flight shutdown leading to loss of control of the airplane by requiring life limits for the timing chain.

**DATES:** This AD becomes effective March 30, 2011.

**ADDRESSES:** The Docket Operations office is located at Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

**FOR FURTHER INFORMATION CONTACT:** Alan Strom, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [alan.strom@faa.gov](mailto:alan.strom@faa.gov); telephone (781) 238–7143; fax (781) 238–7199.

#### 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 October 28, 2010 (75 FR 66342). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Service experience has shown that fracture of the timing chain has occurred due to chain

wear. This condition, if not corrected, could lead to in-flight cases of engine shutdown.

**Comments**

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM.

**Conclusion**

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

**Costs of Compliance**

Based on the service information, we estimate that this AD will affect about 112 engines installed on airplanes of U.S. registry. We also estimate that it will take about 8 work-hours per product to comply with this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$162 per engine. Based on these figures, we estimate the cost of the AD on U.S. operators to be \$94,304.

**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 this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (phone (800) 647-5527) is provided 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, 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:

**2011-05-06 Thielert Aircraft Engines GmbH:** Amendment 39-16615. Docket No. FAA-2010-0892; Directorate Identifier 2010-NE-32-AD.

**Effective Date**

- (a) This airworthiness directive (AD) becomes effective March 30, 2011.

**Affected ADs**

- (b) None.

**Applicability**

(c) This AD applies to Thielert Aircraft Engines GmbH models TAE 125-02-99 and TAE 125-02-114 reciprocating engines installed in, but not limited to, Cessna 172 and (Reims-built) F172 series (European Aviation Safety Agency (EASA) Supplemental Type Certificate (STC) No. EASA.A.S.01527); Piper PA-28 series (EASA STC No. EASA.A.S. 01632); APEX (Robin) DR 400 series (EASA STC No. A.S.01380); and Diamond Aircraft Industries Models DA 40, DA 42, and DA 42M NG airplanes.

**Reason**

(d) This AD results from mandatory continuing airworthiness information (MCAI) issued 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:

Service experience has shown that fracture of the timing chain has occurred due to chain wear. This condition, if not corrected, could lead to in-flight cases of engine shutdown.

We are issuing this AD to prevent engine in-flight shutdown leading to loss of control of the airplane by requiring life limits for the timing chain.

**Actions and Compliance**

- (e) Unless already done, do the following actions.

**Initial Replacement of Timing Chain**

- (1) For engines with serial numbers (S/Ns) listed in Table 1 of this AD, replace the timing chain within 600 flight hours-since-new, or no later than 55 flight hours after the effective date of this AD, whichever occurs later.

**TABLE 1—S/Ns OF ENGINES AFFECTED BY THE COMPLIANCE TIME IN PARAGRAPH (E)(1) OF THIS AD**

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02-02-01510 to 02-02-01514 inclusive
02-02-01518 to 02-02-01520 inclusive
02-02-01529
02-02-01717
02-02-01718
02-02-01720
02-02-01721
02-02-01727
02-02-01728
02-02-01730 to 02-02-01733 inclusive
02-02-01739 to 02-02-01752 inclusive

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- (2) For engines with S/Ns not listed in Table 1 of this AD, replace the timing chain within 910 flight hours-since-new, or no later than 55 flight hours after the effective date of this AD, whichever occurs later.

**Repetitive Replacements of Timing Chains for All TAE 125-02-99 and TAE 125-02-114 Engines**

- (3) Thereafter, for all TAE 125-02-99 and TAE 125-02-114 engines, repetitively replace the timing chain within every additional 910 flight hours.

- (4) Guidance on replacing the timing chain can be found in Thielert Aircraft Engines GmbH Service Bulletin No. TM TAE 125-1010 P1, Revision 2, dated May 26, 2010.

**FAA AD Differences**

- (f) This AD differs from the MCAI and/or service information, which require initial replacement of the timing chain for the engines listed in paragraph (e)(1) above within either the next 110 flight hours or at the next maintenance, whichever occurs first, for those engines having accumulated between 500 and 600 flight hours time-since-new. The reason for the difference is to ensure that the compliance requirements for all engines in paragraph (e)(1) above are consistent.

**Alternative Methods of Compliance (AMOCs)**

(g) The Manager, Engine Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

**Related Information**

(h) Refer to MCAI European Aviation Safety Agency AD 2010-0136, dated June 30, 2010, and Thielert Aircraft Engines GmbH Service Bulletin No. TM TAE 125-1010 P1, Revision 2, dated May 26, 2010, for related information. Contact Thielert Aircraft Engines GmbH, Platanenstrasse 14 D-09350, Lichtenstein, Germany, telephone: +49-37204-696-0; fax: +49-37204-696-55; e-mail: [info@centurion-engines.com](mailto:info@centurion-engines.com), for a copy of this service information.

(i) Contact Alan Strom, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: [alan.strom@faa.gov](mailto:alan.strom@faa.gov); telephone (781) 238-7143; fax (781) 238-7199, for more information about this AD.

**Material Incorporated by Reference**

(j) None.

Issued in Burlington, Massachusetts, on February 16, 2011.

**Peter A. White,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 2011-3917 Filed 2-22-11; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2010-0936; Airspace Docket No. 10-AEA-23]

**Amendment of Class E Airspace and Revocation of Class E Airspace; Easton, MD**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E surface airspace and airspace 700 feet above the surface, and removes Class E airspace designated as an extension to Class D airspace at Easton, MD. The Easton Non-Directional Beacon (NDB) has been decommissioned and new Standard Instrument Approach Procedures (SIAPs) have been developed for Easton Airport/Newnam Field. This action enhances the safety and airspace management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective 0901 UTC, May 5, 2011. The Director of the Federal Register approves this incorporation by reference

action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:**

Richard Horrocks, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P. O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5588.

**SUPPLEMENTARY INFORMATION:****History**

On October 22, 2010, the FAA published in the **Federal Register** a notice of proposed rulemaking to amend Class E surface airspace and airspace 700 feet above the surface, and remove Class E airspace designated as an extension to Class D airspace at Easton, MD (75 FR 65250) Docket No. FAA-2010-0936. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9U dated August 18, 2010, and effective September 15, 2010, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends the Class E surface airspace and Class E airspace extending upward from 700 feet above the surface to accommodate new SIAPs developed for Easton Airport/Newnam Field, Easton, MD, as the Easton NDB has been decommissioned. This eliminates the need for Class E airspace designated as an extension to Class D surface area, and, therefore, will be removed for the continued safety and management of IFR operations at the airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore, (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) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic

procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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.

This rulemaking is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends Class E airspace at Easton, MD.

**Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9U, Airspace Designations and Reporting Points, dated August 18, 2010, effective September 15, 2010, is amended as follows:

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

**AEA MD E2 Easton, MD [AMENDED]**

Easton Airport/Newnam Field, MD

(Lat. 38°48'15" N., long. 76°04'08" W.)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.0-mile radius of the Easton Airport/Newnam Field. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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