

indication of alcohol use in violation of the requirements of paragraph (b) of this section.

(d) Tests for alcohol must be administered by a certified Breath Alcohol Technician using an evidential-grade breath analysis device that conforms to the Department of Transportation's (DOT) National Highway Traffic Safety Administration (NHTSA) model specifications, and the most recent "Conforming Products List" issued by NHTSA which are available from the Office of Traffic Safety Programs, Washington, DC.

(e) An individual whose confirmatory breath alcohol test result is at or above a blood alcohol concentration of 0.02 percent shall not be allowed to perform nuclear explosive duties for a minimum of 24 hours.

(f) Individuals refusing to submit to a breath alcohol test shall be immediately removed from nuclear explosive duties.

(g) The SOMD, in conjunction with the designated psychologist, shall evaluate each case of alcohol use disorder for evidence of psychological impairment and provide the PAP certifying official a recommendation as to the individual's reliability.

(h) After successfully completing an SOMD-approved alcohol treatment program, DOE may reinstate an individual in the PAP based on the SOMD's follow-up evaluation and recommendation.

#### **§ 711.45 Maintenance of medical records.**

(a) Medical records produced or used in the PAP certification process shall be maintained according to established professional standards.

(b) The medical records of PAP individuals shall be maintained in accordance with the Privacy Act, 5 U.S.C. § 552a, and DOE implementing regulations in 10 CFR part 1008; the Department of Labor's regulations on access to employee exposure and medical records, 29 CFR 1910.20; and applicable DOE orders and directives.

(c) The psychological record of a PAP individual shall be considered a component of the medical record. The psychological record shall —

(1) Contain any clinical reports, test protocols and data, notes of employee contacts and correspondence, and other information pertaining to an individual's contact with a psychologist;

(2) Be stored in a secure location in the custody of the designated psychologist;

(3) Be kept separate from other medical record documents, with access limited to the SOMD, the designated physician, the designated psychologist,

or other persons who are authorized by law or regulation to have access; and

(4) Be retained indefinitely.

(d) The records of alcohol and drug testing shall be maintained in accordance with 42 CFR part 2, "Confidentiality of Alcohol and Drug Abuse Patient Records," and 10 CFR part 707, "Workplace Substance Abuse Programs at DOE Sites."

[FR Doc. 97-14416 Filed 6-3-97; 8:45 am]

BILLING CODE 6450-01-P

## **DEPARTMENT OF ENERGY**

### **10 CFR Part 835**

#### **Occupational Radiation Protection; Availability of Draft Guides and Technical Standards**

**AGENCY:** Department of Energy.

**ACTION:** Extension of notice of availability for draft guides.

**SUMMARY:** The Department of Energy (DOE) published a notice of availability (62 FR 19940) on April 24, 1997, announcing that drafts of guidance documents that may be used to implement proposed occupational radiation protection regulations were available for public comment. That notice provided the public with the opportunity to submit written comments on these documents on or before May 28, 1997. This notice extends the written comment period for the 13 implementation guides to June 30, 1997.

**DATES:** Written comments for the 13 draft implementation guides must be submitted by June 30, 1997.

**ADDRESSES:** A copy of each draft implementation guide is available at the DOE Freedom of Information Reading Room, 1E-190, 1000 Independence Avenue, SW, Washington D.C. 20585, between the hours of 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays. Submit written comments to Dr. Joel Rabovsky, U.S. Department of Energy, EH-52/GTN/270CC, 19901 Germantown Road, Germantown, Maryland 20874-1290.

**FOR FURTHER INFORMATION CONTACT:** Dr. Joel Rabovsky, U.S. Department of Energy, EH-52/GTN/270CC, 19901 Germantown Road, Germantown, Maryland 20874-1290, 301-903-2135.

Issued in Washington, DC, on May 27, 1997.

**Peter N. Brush,**

*Principal Deputy Assistant Secretary,  
Environment, Safety and Health.*

[FR Doc. 97-14550 Filed 6-3-97; 8:45 am]

BILLING CODE 6450-01-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. 96-NM-271-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100) Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) airplanes. This proposal would require a one-time inspection of the direct current (DC) power distribution system for reliability, and correction or repair, of any fuse holders and associated electrical wiring, if necessary. This proposal is prompted by a report indicating that a loose fuse holder caused the DC power distribution system to short circuit on one of the affected airplanes, which resulted in a burnt wire between circuit breaker panel CBP-2 and junction box JB7. The actions specified by the proposed AD are intended to prevent such short circuiting, which could result in a burnt wire, smoke entering the cockpit area, and consequent passenger injury due to smoke inhalation.

**DATES:** Comments must be received by July 14, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-271-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Bombardier, Inc., Canadair Aerospace Group, P.O. Box 6087, Station Centre-ville, Quebec H3C 3G9, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, New York Aircraft Certification Office, Engine and Propeller Directorate, 10 Fifth Street, Third Floor, Valley Stream, New York.

**FOR FURTHER INFORMATION CONTACT:** Balram Rambrich, Aerospace Engineer,

Systems and Equipment Branch, ANE-172, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7507; fax (516) 568-2716.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 96-NM-271-AD." The postcard will be date stamped and returned to the commenter.

##### Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 96-NM-271-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

##### Discussion

Transport Canada Aviation, which is the airworthiness authority for Canada, notified the FAA that an unsafe condition may exist on certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) airplanes. Transport Canada Aviation advises that a loose fuse holder caused the direct current (DC) power distribution system on one of the affected airplanes to short circuit. This resulted in a burnt wire between circuit breaker panel CBP-2 and junction box JB7. The actions specified by the proposed AD are

intended to prevent such short circuiting, which could result in a burnt wire and smoke entering the cockpit area, and consequent passenger injury due to smoke inhalation.

##### Explanation of Relevant Service Information

Bombardier has issued Canadair Regional Jet Alert Service Bulletin S.B. A601R-24-056, Revision 'A', dated July 9, 1996, which describes procedures for a one-time inspection of the fuse holders of the DC power distribution system for reliability (proper connection, proper wiring, and to assure there are no damaged wires), and rewiring, correcting, or repairing fuse holders and associated electrical wiring, if necessary. Transport Canada Aviation classified this service bulletin as mandatory and issued Canadian airworthiness directive CF-96-18, dated September 30, 1996, in order to assure the continued airworthiness of these airplanes in Canada.

##### FAA's Conclusions

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, Transport Canada Aviation has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada Aviation, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

##### Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require a one-time inspection of the DC power distribution system for reliability, and correction or repair of any fuse holders and associated electrical wiring, if necessary. The actions would be required to be accomplished in accordance with the service bulletin described previously.

##### Cost Impact

The FAA estimates that 41 Bombardier Model CL-600-2B19 (Regional Jet Series 100) airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 14 work hours per

airplane to accomplish the proposed inspection, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$34,440, or \$840 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

##### Regulatory Impact

The regulations proposed herein would 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, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (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) if promulgated, 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. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

##### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

##### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding the following new airworthiness directive:

**Bombardier, Inc.** (Formerly Canadair):  
Docket 96–NM–271–AD.

*Applicability:* Model CL–600–2B19 (Regional Jet Series 100) airplanes, serial numbers 7003 through 7105 inclusive; certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent the direct current (DC) power distribution system from short circuiting, which could result in a burnt wire, smoke entering the cockpit area, and consequent passenger injury due to smoke inhalation, accomplish the following:

(a) Within 600 hours time-in-service after the effective date of this AD, perform a one-time inspection of the DC power distribution system for reliability in accordance with Canadair Regional Jet Service Bulletin S.B. A601R–24–056, Revision 'A', dated July 9, 1996. Prior to further flight, correct or repair any discrepant fuse holders and associated electrical wiring, in accordance with the service bulletin.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on May 28, 1997.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 97–14484 Filed 6–3–97; 8:45 am]

BILLING CODE 4910–13–U

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. 96–CE–68–AD]

RIN 2120–AA64

**Airworthiness Directives; Fairchild Aircraft Incorporated Models SA226–AT, SA226–TC, SA227–AC, and SA227–AT Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Fairchild Aircraft Incorporated (Fairchild) Models SA226–AT, SA226–TC, SA227–AC, and SA227–AT airplanes. The proposed action would require inspecting the cargo door lower belt frames at the cargo latch receptacles for cracks in the belt frames, repairing the cracks, and reinforcing the cargo door lower belt frames by installing doublers. A decompression incident during flight caused by fatigue at the bottom of the cargo door on a Fairchild Model SA226–TC prompted the proposed action. The actions specified by the proposed AD are intended to prevent the failure of the cargo door in flight which could cause decompression injuries to passengers and substantial structural damage to the airplane.

**DATES:** Comments must be received on or before August 7, 1997.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96–CE–68–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from Fairchild Aircraft, P. O. Box 790490, San Antonio, Texas 78279–0490, telephone (210) 824–9421. This information also may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Hung Viet Nguyen, Aerospace Engineer, FAA, Fort Worth Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193–0150; telephone (817) 222–5155; facsimile (817) 222–5960.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 96–CE–68–AD." The postcard will be date stamped and returned to the commenter.

**Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96–CE–68–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

**Discussion**

In 1995, the FAA received a report on a Fairchild Model SA226–TC airplane that had a cargo door failure during flight. Upon investigation, the examiners discovered cracking in the cargo door lower belt frames. As a result of the incident, the FAA issued AD 95–18–05 to require replacing the cargo door receptacles to prevent failure of the cargo door. The FAA has since determined that further AD action is necessary to address this condition. This proposed AD does not cancel the actions required in AD 95–18–05.

**Relevant Service Information**

Fairchild has issued Service Bulletin 227–53–003, Issued: January 29, 1986; Revised: February 13, 1986, and Service