

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 70

Public Meeting on Part 70 Rulemaking Activities

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: Notice of meeting.

SUMMARY: NRC will host a public meeting in Rockville, Maryland to discuss issues associated with NRC 10 CFR Part 70 rulemaking activities. This meeting will provide information on the status of staff activities consistent with Commission direction in a Staff Requirements Memorandum (SRM) dated August 26, 1997.

DATES: The meeting is scheduled for May 28, 1998 from 9:00 a.m. to 1:00 p.m. The meeting is open to the public. Persons who wish to attend the meeting should contact Jim Hennigan at (301) 415-6850 at least one week prior to the meeting.

ADDRESSES: NRC's auditorium at Two White Flint North, 11545 Rockville Pike, Rockville, Maryland. Visitor parking around the NRC building is limited; however, the meeting site is located adjacent to the White Flint Station on the Metro Red Line.

FOR FURTHER INFORMATION CONTACT: Lidia Roché, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: (301) 415-7830, fax: (301) 415-5390, e-mail: lar2@nrc.gov. Copies of the documents referred to above can be obtained from the NRC public document room. In addition, you can view SECY-97-137 via the Internet at <http://www.nrc.gov/NRC/COMMISSION/activities.html>.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to provide information on the status of NRC staff activities pertaining to the revision of 10 CFR Part 70. The focus of the rulemaking under development is on the features recommended in SECY-97-

137, "Proposed Resolution to Petition for Rulemaking Filed by the Nuclear Energy Institute" (June 30, 1997) which was approved by the Commission in an SRM dated August 26, 1997. The basic elements of the rule under development are 1) the performance of an Integrated Safety Analysis (ISA) by licensees authorized to possess Special Nuclear Material (SNM) in quantities sufficient to constitute a potential for a nuclear criticality; 2) the establishment of limits to identify the adverse consequences that the licensee must protect against; 3) the inclusion of the safety bases in the license; and 4) allowance for licensees to make certain change to their facilities without prior approval by NRC.

Dated at Rockville, Maryland this 15th day of May, 1998.

For the Nuclear Regulatory Commission.
Elizabeth Q. Ten Eyck,
Director, Division of Fuel Cycle Safety and Safeguards.

[FR Doc. 98-13556 Filed 5-20-98; 8:45 am]
BILLING CODE 7590-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-CE-07-AD]

RIN 2120-AA64

Airworthiness Directives; Glaser-Dirks Flugzeugbau GmbH Model DG-400 Gliders

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 all Glaser-Dirks Flugzeugbau GmbH (Glaser-Dirks) Model DG-400 gliders. The proposed action would require replacing the propeller shaft, the bearings, and the front drive belt retaining rings with ones of improved design. The proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for Germany. The actions specified by the proposed AD are intended to prevent failure of the propeller shaft, which could result in loss of glider propulsion during critical phases of flight.

DATES: Comments must be received on or before June 26, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 98-CE-07-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 Glaser-Dirks Flugzeugbau GmbH, Im Schollengarten 19-20, 7520 Bruchsal 4, Germany; telephone: +49 7257-89-0; facsimile: +49 7257-8922. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, Aircraft Certification Service, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone: (816) 426-6934; facsimile: (816) 426-2169.

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. 98-CE-07-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 Regional Counsel, Attention: Rules Docket No. 98-CE-07-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for Germany, recently notified the FAA that an unsafe condition may exist on all Glaser-Dirks Model DG-400 gliders. The LBA reports that the propeller shafts installed on some of these Model DG-400 gliders have failed during flight. An LBA investigation of these incidents showed that the propeller shaft currently installed had a torque tensioning problem which was causing the shaft to rotate. In some cases, the propeller drive belt damaged the front retaining rings and came off the upper pulley, which also damaged the propeller.

These conditions, if not corrected, could result in loss of propulsion during critical phases of flight.

Relevant Service Information

DG Flugzeugbau has issued Technical Note No. 826/32, dated July 19, 1996, and DG Flugzeugbau WORKING INSTRUCTION No. 1 for TN 826/32, dated July, 1996, which specifies procedures for replacing the propeller shaft, the bearings, and the front drive belt retaining rings with parts of improved design.

The LBA classified this service bulletin as mandatory and issued German AD 96-243 DG Flugzeugbau, dated August 29, 1996, in order to assure the continued airworthiness of these gliders in Germany.

The FAA's Determination

This glider model is manufactured in Germany 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, the LBA has kept the FAA informed of the situation described above.

The FAA has examined the findings of the LBA; reviewed all available information, including the service information referenced above; and determined that AD action is necessary

for products of this type design that are certificated for operation in the United States.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Glaser-Dirks Model DG-400 gliders of the same type design registered in the United States, the FAA is proposing AD action. The proposed AD would require replacing the propeller shaft, the bearings, and the front drive belt retaining rings with parts of improved design. Accomplishment of the proposed action would be in accordance with DG Flugzeugbau Technical Note No. 826/32, dated July 19, 1996, and DG Flugzeugbau WORKING INSTRUCTION No. 1 for TN 826/32, dated July, 1996.

Cost Impact

The FAA estimates that 35 gliders in the U.S. registry would be affected by the proposed AD, that it would take approximately 5 workhours per glider to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$460 per glider. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$266,000, or \$760 per glider.

Proposed Compliance Time

The compliance time of the proposed AD is in calendar time instead of hours time-in-service (TIS). The average monthly usage of the affected glider ranges throughout the fleet. For example, one owner may operate the glider 25 hours TIS in one week, while another operator may operate the glider 25 hours TIS in one year. In order to ensure that all of the owners/operators of the affected glider have replaced the propeller shaft, bearings and front drive belt retaining rings within a reasonable amount of time, the FAA is proposing a compliance time of 4 calendar months.

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 action (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) 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 has been placed 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 a new airworthiness directive (AD) to read as follows:

Glaser-Dirks Flugzeugbau GMBH: Docket No. 98-CE-07-AD.

Applicability: Model DG-400 gliders, all serial numbers, certificated in any category.

Note 1: This AD applies to each glider 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 gliders 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 (c) 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 within the next 4 calendar months after the effective date of this AD, unless already accomplished.

To prevent failure of the propeller shaft, which could result in loss of glider propulsion during critical phases of flight, accomplish the following:

(a) Replace the propeller shaft, the bearings, and the front drive belt retaining rings with parts of improved design in

accordance with paragraph 2 of the Instructions section of DG Flugzeugbau Technical Note No. 826/32, dated July 19, 1996, and WORKING INSTRUCTION No. 1 for TN 826/32, dated July, 1996.

(b) 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 glider to a location where the requirements of this AD can be accomplished.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(d) Questions or technical information related to DG Flugzeugbau Technical Note No. 826/32, dated July 19, 1996, and DG Flugzeugbau WORKING INSTRUCTION No. 1 for TN 826/32, dated July, 1996, should be directed to DG Flugzeugbau GmbH, P.O. Box 4120, 76625 Bruchsal, Germany; telephone: +49 7257-89-0; facsimile: +49 7257-8922. This service information may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Note 3: The subject of this AD is addressed in German AD 96-243 DG-Flugzeugbau, dated August 29, 1996.

Issued in Kansas City, Missouri, on May 13, 1998.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-13518 Filed 5-20-98; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-CE-21-AD]

RIN 2120-AA64

Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. Models MU-2B Series 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 Mitsubishi Heavy Industries, Ltd. (Mitsubishi) MU-2B series airplanes.

The proposed action would require incorporating several modifications to the operating systems and installing a placard with operating limitations within the pilot's clear view. Service history of the affected airplanes prompted the FAA to examine the design of these airplanes and analyze the ability of the pilots of these airplanes to fly and operate in icing conditions. The actions specified by the proposed AD are intended to prevent departure from controlled flight and to assist the pilot in detecting ice accumulation on the airplane when flying in icing conditions that exceed the airplane's ice protection capability, which could result in possible loss of control of the airplane.

DATES: Comments must be received on or before July 22, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-21-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 Mitsubishi Heavy Industries America, Inc., 15303 Dallas Parkway, suite 685, LB-77, Dallas, Texas 75248; telephone (972) 980-5001; facsimile (972) 980-5091. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. John Dow, Aerospace Engineer, Small Airplane Directorate, 1201 Walnut, suite 900, Kansas City, Missouri 64106, telephone (816) 426-6934; facsimile (816) 426-2169.

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. 97-CE-21-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 Regional Counsel, Attention: Rules Docket No. 97-CE-21-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

Service history of the Mitsubishi MU-2B series airplanes prompted the FAA to examine the design of these airplanes and analyze the ability of the pilots of these airplanes to fly and operate in icing conditions. The FAA recently conducted a special certification review (SCR) for the Mitsubishi MU-2B series airplanes. This examination shows that several accidents have occurred, and that future accidents/incidents may be prevented by modifications to the airplane design and by additional training to enhance the pilot's ability to manage the airplane in adverse operating conditions. The training issues were addressed in AD 97-20-14. Indications are that the pilot is not detecting or properly interpreting the visual cues of ice build-up on the airframe. The pilots of the airplanes involved in the accidents did not exit the icing conditions, but instead, relied on the autopilot to fly the airplane. In these accidents, the airplanes stalled while on autopilot, which resulted in departure from controlled flight into a spin or near vertical spiral until ground contact was made.

Explanation of Departure From Controlled Flight

Airplanes that fly in these severe icing conditions, although infrequently encountered, can accumulate ice formations that increase drag quickly and raise stall speeds significantly. Combining these elements with a loss of airspeed can cause aerodynamic flow separation or stall on one or both wings. This stall can result in an uncontrolled