

The submittal shall include the following:

(1) A description and analysis of changes in procedures or in structures, systems, and components of the spent fuel storage cask, as described in the FSAR (as updated), with emphasis upon:

(i) Performance requirements,
(ii) The bases, with technical justification therefor upon which such requirements have been established, and
(iii) Evaluations showing that safety functions will be accomplished.

(2) An analysis of the significance of any changes to codes, standards, regulations, or regulatory guides which the general licensee has committed to meeting the requirements of which are applicable to the design, construction, or fabrication of the spent fuel storage cask.

(3) The general licensee shall submit revisions containing updated information to the Commission, in accordance with § 72.4, on a replacement-page basis that is accompanied by a list which identifies the current pages of the FSAR following page replacement. The general licensee shall also provide a copy of the submittal to the holder of the certificate for the cask. Each replacement page shall include both a change indicator for the area changed (e.g., a bold line vertically drawn in the margin adjacent to the portion actually changed) and a page change identification (date of change or change number or both). Each replacement page shall also indicate the cask FSAR, including the certificate holder's revision number, upon which the general licensee's update is based.

19. Section 72.244 is added to read as follows:

§ 72.244 Application for amendment of a certificate of compliance.

Whenever a certificate holder desires to amend the CoC (including a change to the terms, conditions or specifications of the CoC), an application for an amendment shall be filed with the Commission fully describing the changes desired and the reasons for such changes, and following as far as applicable the form prescribed for original applications.

20. Section 72.246 is added to read as follows:

§ 72.246 Issuance of amendment to a certificate of compliance.

In determining whether an amendment to a CoC will be issued to the applicant, the Commission will be guided by the considerations that govern the issuance of an initial CoC.

21. Section 72.248 is added to read as follows:

§ 72.248 Safety analysis report updating.

(a) The design, description of planned operations, and other information submitted in the Safety Analysis Report for a spent fuel storage cask shall be updated by the certificate holder and submitted to the Commission after the design of the spent fuel storage cask has been approved pursuant to § 72.238. This Final Safety Analysis Report (FSAR) shall be completed and submitted to the Commission within 90 days after approval of the cask design. The FSAR shall incorporate all changes and requirements contained in the CoC and the staff's safety evaluation report (SER) associated with approval of the cask's design.

(b) The FSAR shall be updated annually and submitted to the Commission by the certificate holder. This submittal shall include the following:

(1) A description and analysis of changes in procedures or in structures, systems, and components of the spent fuel storage cask, as described in the FSAR (as updated), with emphasis upon:

(i) Performance requirements,
(ii) The bases, with technical justification therefor upon which such requirements have been established, and
(iii) Evaluations showing that safety functions will be accomplished.

(2) An analysis of the significance of any changes to codes, standards, regulations, or regulatory guides which the certificate holder has committed to meeting the requirements of which are applicable to the design, construction, or fabrication of the spent fuel storage cask.

(c) The certificate holder shall submit revisions containing updated information to the Commission, in accordance with § 72.4, on a replacement-page basis that is accompanied by a list which identifies the current pages of the FSAR following page replacement. The certificate holder shall also provide a copy of the submittal to each general licensee using the spent fuel storage cask. Each replacement page shall include both a change indicator for the area changed (e.g., a bold line vertically drawn in the margin adjacent to the portion actually changed) and a page change identification (date of change or change number or both).

Dated at Rockville, Maryland, this 14th day of October, 1998.

For the Nuclear Regulatory Commission.

John C. Hoyle,

Secretary of the Commission.

[FR Doc. 98-28066 Filed 10-20-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98-NM-269-AD]

RIN 2120-AA64

Airworthiness Directives; McDonnell Douglas Model MD-90-30 Series 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 McDonnell Douglas Model MD-90-30 series airplanes. This proposal would require modification of the right and left main landing gear (MLG) hydraulic damper assemblies or replacement of the MLG hydraulic damper assemblies with modified and reidentified hydraulic damper assemblies. This proposal is prompted by reports indicating that, during overhauls, the MLG hydraulic dampers assemblies failed or had damaged spring retainers due to insufficient material thickness of the spring retainers. The actions specified by the proposed AD are intended to prevent failure of the hydraulic damper assemblies of the MLG, which could result in vibration damage and collapse of the MLG.

DATES: Comments must be received by December 7, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 98-NM-269-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 The Boeing Company, Douglas Products Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1-L51 (2-60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Walter Eierman, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5336; fax (562) 627-5210.

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 98-NM-269-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-114, Attention: Rules Docket No. 98-NM-269-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received reports indicating that, during overhauls, 30 percent of the latest configuration of the main landing gear (MLG) hydraulic damper assemblies installed on McDonnell Douglas Model MD-90 series airplanes failed or had damaged spring retainers. Investigation revealed that the cause of the hydraulic damper assemblies failures or damaged spring retainers may be insufficient material thickness of the spring retainers. Such

failure of the spring retainers, if not corrected, could result in failure of the hydraulic damper assemblies of the MLG, which could result in vibration damage and collapse of the MLG.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Service Bulletin MD90-32-032, dated July 8, 1998, which describes procedures for modification of the right and left MLG hydraulic damper assemblies. The modification involves removal and disassemblage of the hydraulic damper assemblies; installation of new spring retainers in the damper assemblies; and installation of the modified and reidentified hydraulic damper assemblies. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require modification of the hydraulic damper assemblies or replacement of the hydraulic damper assemblies with modified and reidentified hydraulic damper assemblies.

Cost Impact

There are approximately 111 airplanes of the affected design in the worldwide fleet. The FAA estimates that 40 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 18 work hours per airplane (including access, removal, and closeup) to accomplish the proposed modification, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$598 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$1,678 per airplane.

It would take approximately 5 work hours per airplane to accomplish the proposed replacement at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the replacement proposed by this AD on U.S. operators is estimated to be \$300 per airplane.

The cost impact figures discussed above are 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:

McDonnell Douglas: Docket 98-NM-269-AD.

Applicability: Model MD-90-30 series airplanes, as listed in McDonnell Douglas Service Bulletin MD90-32-032, dated July 8, 1998; 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 (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 as indicated, unless accomplished previously.

To prevent failure of the hydraulic damper assemblies of the main landing gear (MLG), which could result in vibration damage and collapse of the MLG, accomplish the following:

(a) Within 2 years after the effective date of this AD, accomplish the requirements specified in either paragraph (a)(1) or (a)(2) of this AD.

(1) Modify the right and left MLG hydraulic damper assemblies in accordance with McDonnell Douglas Service Bulletin MD90-32-032, dated July 8, 1998; or

(2) Replace the right and left MLG hydraulic damper assemblies with modified and reidentified hydraulic damper assemblies having part number (P/N) SR09320057-7005, SR09320057-7007, SR09320057-7009, or 5923142-5513, in accordance with paragraph B.5. of the Accomplishment Instructions of the service bulletin.

(b) As of the effective date of this AD, no person shall install on any airplane a damper sub assembly having P/N SR09320057-9, SR09320057-17, or 5923142-5017; or a damper assembly having P/N SR09320057-7001, SR09320057-7003, or 5923142-5511, unless the part is modified in accordance with paragraph (a)(1) of this AD.

(c) 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, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

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

(d) 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 October 14, 1998.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-28155 Filed 10-20-98; 8:45 am]

BILLING CODE 4910-13-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TX90-1-7360b; FRL-6160-3]

Approval and Promulgation of State Implementation Plan, Texas: Recodification of Regulations to Control Lead Emissions From Stationary Sources

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is approving the recodification of the Texas State Implementation Plan (SIP) regulations controlling emissions of lead from stationary sources. The recodification consists of a renumbering of the sections and administrative changes to the rules. There are no substantive changes to the rules.

In the final rules section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to the direct final rule, no further activity is contemplated in relation to this action. If EPA receives adverse comments, the direct final rule will be withdrawn, and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

Please see the direct final rule of this action located elsewhere in today's **Federal Register** for a detailed description of the Texas lead recodification.

DATES: Comments must be postmarked by November 20, 1998.

ADDRESSES: Written comments should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section (6PD-L), at the EPA Regional Office listed below. Copies of the documents relevant to this action are available for public inspection during normal business hours at the following locations. Interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Environmental Protection Agency, Region 6, Multimedia Planning and Permitting Division, 1445 Ross Avenue,

Suite 700, Dallas, Texas 75202-2733, telephone (214) 665-7214.

Texas Natural Resource Conservation Commission, 12100 Park 35 Circle, Building F, Austin, Texas 78753.

FOR FURTHER INFORMATION CONTACT: Lt. Mick Cote, Region 6 Air Planning Section at the above address, telephone (214) 665-7242.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final action of the same title which is published in the Rules and Regulations section of this **Federal Register**.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Lead, Particulate matter, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401-7671q.

Dated: September 2, 1998.

Jerry Clifford,

Acting Regional Administrator, Region 6.

[FR Doc. 98-28115 Filed 10-20-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[PA122-4078b; FRL-6178-1]

Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Pennsylvania; Enhanced Motor Vehicle Inspection and Maintenance Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed Rule; extension of the comment period.

SUMMARY: EPA is extending the comment period for a document published on September 16, 1998 (63 FR 49517). In this document, EPA proposed approval of Pennsylvania's August 21, 1998 State Implementation Plan (SIP) revision for the enhanced motor vehicle inspection and maintenance program. At the request of a commenter, EPA is extending the comment period through November 16, 1998.

DATES: Comments must be received on or before November 16, 1998.

ADDRESSES: Comments may be mailed to Marcia L. Spink, Associate Director, Office of Air Programs, Mailcode 3AP20, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

FOR FURTHER INFORMATION CONTACT: Brian Rehn, (215) 814-2176, or by e-mail at rehn.brian@epamail.epa.gov.